



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 47]

नई दिल्ली, शनिवार, नवम्बर 19, 1983/कार्तिक 28, 1905

No. 47]

NEW DELHI, SATURDAY, NOVEMBER 19, 1983/KARTIKA 28, 1905

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय

(कम्पनी कार्य विभाग)

नई दिल्ली, 2 नवम्बर, 1983

at 2-Red Cross Place, Calcutta-700 001, under the said Act
(Certificate of Registration No. 1132/75).

[No. 16/49/81-M-III]

V. P. GUPTA, Director

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 10 अगस्त, 1982

(आयकर)

का० आ० 4187.—एकाधिकार तथा अपरोधिक व्यापारिक व्यवहार अधिनियम, 1969 (1969 का 54) की धारा 26 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा मैसर्स हिन्दुस्तान सेनीटरीवेयर एण्ड इन्डस्ट्रीज लिमिटेड, जिसका पंजीकृत कार्यालय, 2-रेडक्रॉस प्लेस से कलकत्ता-700001 में है, के कथित अधिनियम के अन्तर्गत पंजीकरण (पंजीकरण प्रमाणपत्र संख्या 1132/75) के निरस्तकरण को अधिसूचित करती है।

[संख्या 16/49/81-एम०-III]

वी० पी० गुप्ता, निदेशक

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 2nd November, 1983

S.O. 4187.—In pursuance of Sub-Section (3) of Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby notifies the cancellation of the registration of M/s. Hindustan Sanitaryware & Industries Limited, having its registered Office

990 GI/83

का० आ० 4188.—इस कार्यालय को दिनांक 9-6-1980 को अधिसूचना सं० 1465 (का० सं० 20/111/79-आ०क०नि०-II) के तलसिले में, सर्वसाधारण को जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खण्ड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुपयुक्त विज्ञानों के क्षेत्र में "संगम" प्रवर्ण के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि निम्न के वन्यजीव निधि (इंडियन नेशनल अपील), बम्बई, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखा जाय।

(4375)

2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इन प्रयोजन के लिए अधिकवित्त दिया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरिक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलना-पत्र की एक-एक प्रति प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

स्था

विश्व वन्यजीव निधि (इंडियन नेशनल अपील), बम्बई।

यह अधिसूचना 21-6-1983 से 30-12-1982 तक की अवधि के लिए प्रार्थी है।

[सं० 4895 (फ० सं० : 02/86/82-आ० क० नि०-II)
एम० जी० सी० गोयल, अवर सचिव]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 10th August, 1982

INCOME-TAX

S.O. 4188.—In continuation of this office notification No. 3465 (F. No. 203/111/79-ITA. II) dated 9th June, 1980, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1966 under the category "Association" in the area of other natural and applied sciences subject to the following conditions :—

- (i) That the World Wildlife Fund (Indian National Appeal), Bombay will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April, each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

World Wildlife Fund (Indian National Appeal) Bombay.

This notification is effective for a period from 21-6-82 to 30-12-1983.

[No. 4895 (F. No. 203/86/82-ITA. II)]

M. G. C. GOYAL, Under Secy

CORRIGENDUM

New Delhi, the 13th September, 1983

INCOME-TAX

S.O. 4189.—In order No. 16/83 (F. No. 315/67/83-WT) the 27th line of jurisdiction of Inspecting Assistant Commissioner (Acquisition), Range-III, Delhi/New Delhi should be

replaced by "Green Park, Green Park Extension, Safdarjung Inclave". The word village appearing in 45th line should be read as villages.

[F. No. 316/67/83-WT]

P. RANGANATHAN, Under Secy.

नई दिल्ली, 28 अक्टूबर, 1983

आदेश

स्टाम्प

का० आ० 4190.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो हरियाणा वित्तीय निगम द्वारा केवल एक करोड़ दस लाख रुपये मूल्य के प्रामिसरी नोटों के रूप में जारी किए जाने वाले नियमित बंधपत्रों (19वीं श्रृंखला) पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[संख्या 30/83-स्टाम्प-फा० सं० 33/37/82-वि० क०]

New Delhi, the 28th October, 1983

ORDERS

STAMPS

S.O. 4190.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the 19th series of regular bonds in the form of promissory notes to the value of rupees one crore and ten lakhs only to be issued by the Haryana Financial Corporation are chargeable under the said Act.

[No. 30/83-Stamps-F. No. 33/37/82-ST]

स्टाम्प

का०आ० 4191.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो कर्नाटक राज्य वित्तीय निगम द्वारा केवल तीन करोड़ नब्बे लाख रुपये मूल्य के प्रामिसरी नोटों के रूप में जारी किए जाने वाले नव्य बंधपत्रों पर उक्त अधिनियम के अन्तर्गत प्रभावी है।

[संख्या 31/83-स्टाम्प-फा० सं० 33/27/82-वि० क०]

भगवान दास, अवर सचिव

STAMPS

S.O. 4191.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the ad-hoc bonds in the form of promissory notes to the value of rupees three crores and ninety lakhs only to be issued by the Karnataka State Financial Corporation are chargeable under the said Act.

[No. 31/83-Stamps-F. No. 33/27/82-ST]

BHAGWAN DAS, Under Secy.

(आर्थिक कार्य विभाग)

नई दिल्ली, 25 अक्टूबर, 1983

का० नं० 4192.—समुद्री हल के युद्ध जोखिम बीमा की योजना के पैराग्राफ 3 के अनुसरण में केन्द्रीय सरकार एन० द्वारा 31 मार्च 1977 का समाप्त हुए वर्ष के दौरान युद्ध जोखिम (समुद्री हल) पुनर्बीमा कोष में प्राप्त हुई राशियों और उम्मेद की गई अदायगी राशियों को निम्न प्रकार से प्रकाशित करता है अर्थात्—

31 मार्च 1977 का समाप्त हुए वर्ष के दौरान युद्ध जोखिम (समुद्री हल) पुनर्बीमा कोष से प्राप्त की गई राशियाँ तथा उम्मेद अदा की गई राशियों के संबंध में लेख ।

प्राप्तियाँ				व्यय	
क्रम	मार्च 1977 की समाप्ति तक प्राप्तियों की प्रगति			क्रम	मार्च 1977 की समाप्ति तक व्यय की प्रगति
(1)	(2)	(3)	(4)	(5)	(6)
1. बीमा प्रीमियम	3,84,57,504.21	15,85,93,662.43	1. युद्ध जोखिम (समुद्री हल) पुनर्बीमा योजना के लिए भर्ती किए गए एजेंटों पर प्रशासनिक व्यय	119,515.14	2,89,795.27
रुपए*		रुपए		रुपए**	रुपए
			2. पैरा 8(ii) के अन्तर्गत युद्ध जोखिम (समुद्री हल) पुनर्बीमा योजना के अर्धन वित्तपरियों के संबंध में अदायगी	1,85,814.28	64,80,487.34
				रुपए	रुपए
2. युद्ध जोखिम (समुद्री हल) पुनर्बीमा योजना के पैराग्राफ 8 (iii) के अन्तर्गत भारत की समेकित निधि से अग्रिम	---	---	3. पैरा 8 (iii) के अन्तर्गत अग्रिमों की वापसी अदायगी	---	---
			4. विविध व्यय	13,125.00	37,125.00
				रुपए	रुपए
			5. प्रीमियम की वापसी		
			6. पैरा 8 (iv) के अनुसार रकमों का निपटान	---	---
जोड़	3,84,57,504.21	15,85,93,662.43		3,18,464.42	68,07,407.61
	रुपए	रुपए		रुपए	रुपए

*वर्ष 1975-76 के प्रोफार्मा खाते की पाद टिप्पणी (1) में दिखाए गए वर्ष 1973-74 का 68,96,655.29 रुपए का अन्तर शामिल है।

**वर्ष 1975-76 के प्रोफार्मा खाते की पाद टिप्पणी (1) में दिखाए गए वर्ष 1976-77 में "आरियंटल" को अदा की गई 6,273.00 रुपए की रकम शामिल है। वर्ष 1975-76 के लिए प्रोफार्मा खाते की पाद टिप्पणी (2) में, दिखाए गए वर्ष 1974-75 के लिए 37,003.00 रुपए का व्यय भी इसमें शामिल है।

[फाइल सं० 52(7)—बीमा I/79]

शिव दयाल सहेजा, जवर सचिव

(Department of Economic Affairs)

New Delhi, the 25th October, 1983

S.O. 4192.—In Pursuance of paragraph 8 of the Scheme of the War Risks Insurance of Marine Hulls, the Central Government hereby publishes, as follows, as account of the sums received into and paid out of the War Risks (Marine Hulls) Re-insurance Fund during the year ending with the 31st March, 1977, namely:—

Account of the sums received into and paid out of the 'War Risks (Marine Hulls) Re-insurance Fund' during the year ending with 31st March, 1977.

	Receipts			Expenditure	
	Amount	Progress of receipts upto the end of March, 1977		Amount	Progress of expenditure upto the end of March, 1977
1	2	3	4	5	6
	Rs.	Rs.		Rs.	Rs.
1. Insurance Premium	3,84,57,504.21*	15,85,93,662.43	1. Administrative expenses of the Agents employed for War Risks (Marine Hulls) Re-insurance Scheme	1,19,525.14 **	2,89,795.27
			2. Payment of Liabilities under War Risks (Marine Hulls) Re-insurance Scheme under para 8(ii)	1,85,814.28	64,80,487.34
2. Advance from the Consolidated Fund of India under Paragraph 8(iii) of the War Risks (Marine Hulls) Re-insurance Scheme.	—	—	3. Repayment of Advance made under para 8(iii)	—	—
			4. Miscellaneous Expenditure	13,125.00	37,125.00
			5. Refund of Premium	—	—
			6. Sums disposed of in accordance with para 8(iv)	—	—
Total	3,84,57,504.21	15,85,93,662.43		3,18,464.42	68,07,407.61

* Includes the difference of Rs. 68,96,655.29 for the year 1973-74, vide foot-note (1) in the Proforma Accounts for 1975-76.

** Includes the payment of Rs. 6,273.00 to 'Oriental' made in 1976-77 vide footnote (1) in the Proforma Accounts for 1975-76. Also includes expenditure of Rs. 37,003.00 for the year 1974-75, vide footnote (2) in the Proforma Accounts for 1975-76.

[F. No. 52(7)-Ins. I/79]

S. D. RAHEJA, Under Secy.

(बैंकिंग प्रमाण)

नई दिल्ली, 31 अक्टूबर, 1983

का० आ० 4193.—आदेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री बी० एन० चटर्जी को पालाऊ क्षेत्रीय ग्रामीण बैंक डाल्टोन्गज का अध्यक्ष नियुक्त करती है तथा 15-5-83 से प्रारम्भ होकर 3-8-1983 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री बी० एन० चटर्जी अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-67/82 आर० आर० बी०]

(Banking Division)

New Delhi, the 31st October, 1983

S.O. 4193.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri B. N. Chatterjee as the Chairman of the Palamau Kshetriya Gramin Bank, Daltonganj and specifies the period commencing on the 15-5-83 and ending with the 3-8-1983 as the period for which the said Shri B. N. Chatterjee shall hold office as such Chairman.

[No. F. 2-67/82-RRB]

का० आ० 4194.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एन० के० झा को पलामू ग्रामीण बैंक, डाल्टनगंज का अध्यक्ष नियुक्त करती है तथा 4-8-1983 से प्रारम्भ होकर 31-8-1986 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री एन० के० झा अध्यक्ष के रूप में कार्य करेंगे।

[सं० एक० 2-67/82-आर० आर० बी०]

एस० एम० हसूरकर, उप सचिव।

S.O. 4194.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri N. K. Jha as the Chairman of the Palamau Kshetriya Gramin Bank, Daltanganj and specifies the period commencing on the 4-8-1983 and ending with the 31-8-1986 as the period for which the said Shri N. K. Jha shall hold office as such Chairman.

[No. F. 2-67/82-RRB]

S. S. HASURKAR, Dy. Secy.

(व्यय विभाग)

नई दिल्ली, 2 नवम्बर, 1983

का० आ० 4195.—केन्द्रीय सरकार, भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त अधिनियम के उपबंध, बाल भवन सोसाइटी (इंडिया) और पावर इंजीनियर्स ट्रेनिंग सोसाइटी के कर्मचारियों के फायदे के लिए स्थापित भविष्य निधि को लागू होंगे।

2 केन्द्रीय सरकार, भविष्य निधि अधिनियम, 1925 (1925 का 19) की धारा 8 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम की अनुसूची में निम्नलिखित लोक संस्थाओं के नाम जोड़ती है, अर्थात् -

1. "बाल भवन सोसाइटी (इंडिया)"
2. "पावर इंजीनियर्स ट्रेनिंग सोसाइटी"।

[सं० एक० 4(2)-ई V/83]
के० रतन, उप सचिव।

(Deptt. of Expenditure)

New Delhi, the 2nd November, 1983

S.O. 4195.—In exercise of the powers conferred by Sub-Section (2) of Section 8 of the Provident Funds Act, 1925 (19 of 1925), the Central Government hereby directs that the provisions of the said Act shall apply to the Provident Funds established for the benefit of the employees of the Bal Bhawan Society (India) and the Power Engineers Training Society.

2. In exercise of the Powers conferred by Sub-Section (3) of the Section 8 of the Provident Fund Act, 1925 (19 of 1925), the Central Government hereby adds to the schedule to the said Act, the names of the following public institutions, namely :-

1. "Bal Bhawan Society (India)".
2. "Power Engineers Training Society".

[No. F. 4(2)-EV/83]

K. RATAN, Dy. Secy.

केन्द्रीय उत्पाद शुल्क समाहर्ता का कार्यालय

(केन्द्रीय उत्पाद शुल्क)

अधिसूचना सं०-5/के० उ०/1983

कलकत्ता, 22 सितम्बर, 1983

का० आ० 4196.—मुझे केन्द्रीय उत्पाद शुल्क समाहर्ता, कलकत्ता, के रूप में केन्द्रीय उत्पाद शुल्क नियमावली, 1944 नियम 5 के अधीन (इसमें इसके बाव "उक्त नियमावली" उल्लिखित) प्रदत्त शक्तियों का प्रयोग, करते हुए म नरेन्द्र कुमार बाजपेयी समाहर्ता, केन्द्रीय उत्पाद शुल्क, कलकत्ता, इसके द्वारा केन्द्रीय उत्पाद शुल्क समाहर्तालय, कलकत्ता के क्षेत्राधिकार में कार्यरत केन्द्रीय उत्पाद शुल्क के अधीक्षकों को अपने संबंधित कार्य-क्षेत्रों में उक्त नियमावली के नियम 173 जी (1ए) के अधीन समाहर्ता की शक्तियों का प्रयोग करने के लिए प्राधिकृत करता हूँ, शर्त यह है कि समाहर्ता द्वारा निर्धारित किसी कार्य प्रणाली का अनुपालन होगा। तदनुसार स्तम्भ 3 में "सहायक समाहर्ता" शब्दों के सामने समाहर्तालय के पास खाता से धनराशि को निकालने की अनुमति की अधिसूचना सं० 1/के० उ०/81 दिनांक 27/2/81 को संशोधित कर "अधीक्षक" पढ़ें।

[सी सं० IV(8) 1-के० उ० / 82]

नरेन्द्र कुमार बाजपेयी, समाहर्ता।

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE

(Central Excise)

NOTIFICATION No. 5/CE/1983

Calcutta, the 22nd September, 1983

S.O. 4196.—In exercise of the powers conferred upon me as the Collector of Central Excise, Calcutta under Rule 5 of the Central Excise Rules, 1944 (hereinafter referred to as "the said Rules"), I, N. K. Bajpai, Collector of Central Excise, Calcutta hereby authorise the Superintendents of Central Excise working within the jurisdiction of the Collector of Central Excise, Calcutta to exercise in their respective jurisdictions the powers of Collector under Rule 173.G(1A) of the said Rules subject to observance of any procedure that may be prescribed by the Collector. Accordingly, the words 'Assistant Collector' in column 3 against permission to withdraw amount from account current of the Collectorate Notification No. 1/CE/81 dated 27-2-81 may be amended to read 'Superintendent'.

rC. No. IV (8) 1-CE/83J
N. K. BAJPAI, Collector

वणिज्य मंत्रालय

मनुष्य रूपाय नियंत्रक, आयात, निर्यात का कार्यालय

(केन्द्रीय लाइसेंस क्षेत्र)

नई दिल्ली, 26 जुलाई, 1983

निरस्त आवेदन

का० आ० 4197.—सर्वश्री ऊषा रैवतीकाहर कारपोरेशन (इंडिया) प्राइवेट लिमिटेड, 12/1, मधुर रोड, फरीदाबाद (हरियाणा) को आर० ई० पी० (प्रतिपूर्ति) लाइसेंस सं० पी०/एल/0314334/सी/एक्स एक्स 81/बी/81 दिनांक 31-12-81 वास्ते 60,000/- रु० ट्रांसफॉर्मर बायल, सी आर सी ए सीट्स/स्ट्रीप्स के आयात हेतु दिया गया था।

आवेदक फर्म ने इस कथन के समर्थन में अब एक अपवपत्र आयात-निर्यात की कार्यविधि पुस्तिका 1983-84 के पैरा 353 के अन्तर्गत प्रस्तुत किया है जिसमें यह कहा गया है कि उक्त लाइसेंस बिना इसे माल किये तथा बिना किसी कस्टम पर पंजीकृत हुए बिना ही आया गया है।

मैं संतुष्ट हूँ कि उक्त आयात लाइसेंस की मूल कस्टम तथा मुद्रा विनियम नियंत्रण प्रयोजनों हेतु काफी खो गई है।

अब आयात व्यापार नियंत्रण आदेश 1955 दिनांक 7-12-55 (यथा संशोधित) की धारा 9 सी सी में प्रदत्त अधिकारों का प्रयोग करते हुए मैं उपरोक्त लाइसेंस सं० पी/एल/0314334 दिनांक 31-12-83 की मूल शर्तों का निरस्त करन का आदेश देता हूँ।

आवेदक की प्रार्थना पर अब आयात निर्यात की कार्यविधि-पुस्तिका 1983-84 के पैरा 352-356 के अनुसार उक्त लाइसेंस सं० पी०/एल०/0314334 दिनांक 31-12-81 की दोनो कापी की अनुलिपि (डुप्लीकेट कापी) जारी करते पर विचार किया जायेगा।

[मिसिल सं० इजीनियरिंग/43/जे/एम०ए०/ई०पी० I/सी०एल०ए०]

एम० एल० चौहान, उप मुख्य नियंत्रक, आयात-निर्यात

कृते सयुक्त मुख्य नियंत्रक, आयात-निर्यात

MINISTRY OF COMMERCE

Office of Joint Chief Controller of Imports and Exports
(Central Licensing area)

New Delhi, the 26th July, 1983

CANCELLATION ORDER

SO 4197—M/s Usha Rectifier Corporation (India) P Ltd., 12/1, Mathura Road, Faridabad (Haryana) was granted REP licence No P/L/0314334/C/XX81/D/81 dated 31-12-81 for Rs 60,000/- (Sixty thousand) only for import of Transformer Oil, CRCA Sheets/Strips

The applicant has filed an affidavit as required under para 353 of Hand Book of Imports-Exports Procedure 1983-84 wherein they have stated that Custom purposes copy & Exchange Control purpose copy of REP licence No P/L/0314334/C/XX/81, dated 31-12-81 for Rs 60,000/- for JM 81 period have been lost/misplaced without having been registered with any Custom authority and the same was unutilised

I am satisfied that the original Licence (Customs purpose & Exchange Control copies) of the said licence have been lost/misplaced

In exercise of the powers conferred on me under clause 9(C) in the Import Trade Control Order 1955 dated 7-12-55 as amended the said licence No P/L/0314334/C/XX/81/D/81, dt 31-12-81 for Rs 60,000/- is hereby cancelled

Duplicate copies (both customs purpose and Exchange Control copy) for full value of Rs 60,000/- is being considered separately in accordance with the provisions in paras 352 to 356 of Hand Book of Import Export Procedure 1983-84

[F No Engg /43/JM 81/EP 1/CLA]

S. L. CHOHAN, Dy Chief Controller
Imports and Exports

For Jt Chief Controller of Import and Exports

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 2 नवम्बर, 1983

का०आ० 4198—सर्वश्री इजीनियरिंग कन्स्ट्रक्शन कारपोरेशन लि०, एल एण्ड टो हाउस, एन०एम० मार्ग, बालाई एस्टेट, बम्बई-400038 को

(1) एक डेटमन ड्यबर्ड स्टेशन बैंगन मॉडल न० डब्ल्यू ई जे 910 डी ई यू डब्ल्यू एल चेसिस न० 00076 इजिन न० 005187 (53,300 रु०) और
(2) एक टोयोटा कम्प्यूटर 15 सीटर डीजल-1980 मॉडल-के-एल एल 30 बी चेसिस न० एल एल 30 बी-001091 (58,000 रु०) के आयात के लिए एक सीमाशुल्क निकासी परमिट सं० पी०/जे/3068475/एन०एम० एन०/86/एल०/92 दिनांक 18-3-1983 मूल्य 1,11,400 रु० मात्र के लिए प्रदान किया गया था। पार्टी ने उपर्युक्त सीमाशुल्क निकासी परमिट की अनुलिपि प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी परमिट खो गया है। जगे यह उल्लेख किया गया है कि मूल सीमाशुल्क निकासी परमिट सीमाशुल्क प्राधिकारी तृतीकोरित से पंजीकृत कराया गया है, उसका आंशिक उपयोग किया गया है और अनुलिपि प्रति की आवश्यकता शेष मूल्य 74,493 रु० मात्र का उपयोग करने के लिए है।

2 अपने तर्कों के समर्थन में लाइसेंसधारी ने महाराष्ट्र राज्य, बंबई के नोटरी के सामने विधिवत शपथ लेकर एक शपथपत्र दाखिल किया है। तदनुसार, मैं संतुष्ट हूँ कि मूल सीमाशुल्क निकासी परमिट सं० पी०/जे०/3068475 दिनांक 18-3-83 खो गया है। समय-समय पर यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सीसी) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए मैं सर्वश्री इजीनियरिंग कन्स्ट्रक्शन कारपोरेशन लि० बम्बई का जारी किया गया। उक्त मूल सीमाशुल्क निकासी परमिट सं० पी०/जे०/3068475 दिनांक 18-3-83 एल-द्वारा रद्द किया जाता है।

3 सीमाशुल्क निकासी परमिट की अनुलिपि प्रति पार्टी को अलग से जारी की जा रही है।

[मिसिल सं० 15/82-83-बी एस एस/2390]

एम० एस० कृष्णामूर्ति, उप मुख्य नियंत्रक,

आयात-निर्यात

Office of the Chief Controller of Imports and Exports

ORDER

New Delhi, the 2nd November, 1983

SO 4198—M/s Engineering Construction Corporation Limited I & T House, N M Marg, Ballard Estate, Bombay-400 038 were granted a Customs Clearance Permit No P/J/3068475[NMN/86/H/82 ated 18-3-83 for Rs 1,11,3000/- only for the import of (i) one Datsun Bluebird Station Wagon Model No WEJ 910 DEUWL Chassis No 000076 Engine No 005187 (Rs 53,300/-) and (ii) one Toyota Commuter 15 seater diesel-1980 Model-K-LH 30B Chassis No LH 30B-001091 (Rs 58,000/-) The party has applied for issue of a Duplicate copy of the above-mentioned CCP on the ground that the original CCP has been lost It has further been stated that the original CCP has been registered with Tuticorin Customs Authorities and utilised partly and the duplicate copy is required to cover the balance value of Rs 74,493/- only

2 In support of their contention, the licensee have filed an affidavit, duly sworn before the Notary, Maharashtra State, Bombay I am accordingly satisfied that the original CCP No P/J/3068475 dated 18-3-1983 has been lost In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7 12-1955 as amended from time to time the said original CCP No P/J/3068475 dated 18-3-1983 issued in favour of M/s Engineering Construction Corporation Limited, Bombay is hereby cancelled

3 A duplicate copy of the CCP is being issued to the party separately

[F No L-15/82 83/BIS/2390]

NS KRISHNAMURTHY Dy Chief Controller of Imports & Exports

खाद्य एवं नागरिक पूर्ति मंत्रालय (नागरिक पूर्ति विभाग)

भारतीय मानक संस्था

नई दिल्ली, 26 अक्टूबर, 1984

का आ० 4199.—भारतीय मानक संस्था की ओर से शेषद्वारा अधिसूचित किया जाता है कि स्टेम 1 और 2 में दी गई विभिन्न उत्पादों, से सम्बंधित मुहर लगाने का पुस्तक संस 4.5 और 6 में उल्लेख के अनुसार पुनरीक्षित किया गया है। मोहर लगाने का पनरोक्षित पुस्तक प्रत्येक के आगे दी गई तिथियों से लागू होगा।

अनुसूची

क्रम संख्या	उत्पाद	भारतीय मानक की संख्या	इकाई	मुहर लगाने की दग	भारत के राजपत्र भाग II खंड 3 उपखण्ड(ii) में 7 का संदर्भ				भागू होने की तिथि
					अधिकृतित पुस्तक और संख्या	अधिकृतित पुस्तक और संख्या	अधिकृतित पुस्तक और संख्या	अधिकृतित पुस्तक और संख्या	
1	2	3	4	5	6	7	8	9	10
1.	रंग रोमन के लिए शीशे का मूल कार्बोनेट (सफेद बीजा)	IS : 44-1975	एक मीटरों टन	10.00	सभी	--	621 1980-01-17	1980-01-15	1982-12-01
2.	रंग रोमन के लिए एल्यूमीनियम नोला	IS : 55-1907	"	10.00	पहली 1000 शेष	--	622 1980-02-07	1981-01-15	"
3.	फाउन्टेन की स्पष्टी के लिए फेरोमिनेटेड (0.1% लोह युक्त)	IS : 110-1972	एक लीटर	0.04	सभी	--	"	"	"
4.	ट्रांसमिरोप्राइलीन, तकनीकी	IS : 45-1970	एक मीटरों टन	7.50 6.00	पहली 1000 अगली 1000	--	1384 1979-14-19	1979-04-15	1982-06-01
5.	सोडियम थायोसल्फेट, फ्रस्ट साईन (केवल कोटोप्राफी ग्रेड)	IS : 246-1972	"	5.00 6.00	शेष सभी	--	623 1980-01-17	1980-01-15	1982-12-01
6.	कपड़े धोने का साबुन	IS : 285-1974	"	2.50 1.25	पहली 1000 शेष	--	1384 1979-14-19	1969-14-28	1982-07-16
7.	संपीडित आक्सीजन गैस	IS : 309-1974	100 मी०	3.60 2.50	पहली 5000 शेष	--	621 1980-02-27	1980-01-15	1982-11-16
8.	परिष्कृत स्पिरिट	IS : 111-1959	100 लीटर	3.20 3.15 3.10	पहली 25000 अगली 5000 शेष	--	1444 1980-08-27	1980-09-15	1982-06-01
9.	रंग रोमन और बाकिज के चपटे पृष्ठ	IS : 184-1979	100 पृष्ठ	1.15	सभी	--	623 1981-02-27	1980-03-15	1992-11-16
10.	मुहर लगाने के पैड की स्पष्टी	IS : 391-1975	एक लीटर	0.05	सभी	--	4808 1976-12-06	1976-12-25	1981-07-16
11.	पुटवात, बाली बाल, बान्केटवाल, नेटवाल पुलवाल और जल पोलिवाल	IS : 417 (भाग 1)-74 IS : 417 (भाग 2)-74 IS : 417 (भाग 3)-74 IS : 417 (भाग 4)-76	एक पॉल	0.10	सभी	1545 1963-12-12	--	1963-12-21	1982-07-01

1	2	3	4	5	6	7	8	9	10
		IS: 417 (भाग 5)-76 IS: 417 (भाग 6)-76 IS: 493-1958	एक किलो लीटर	12.50	सभी	—	3759 1981-09-17	1981-10-10	1983-06-16
12.	मशीनरी और लकड़ा का तेल								
13.	स्वचालित ब्रीच	IS: 506-1973	एक किलो	0.03	सभी	—	2123 1980-07-24	1980-08-09	82-06-01
14.	सामान्य कार्यों के तेल	IS: 507-1970	एक मीटर टन	2.50	सभी	1766 1976-04-25	—	1976-03-29	1983-06-01
15.	ब्रीच ब्रेकफिट बूट	IS: 508-1973	"	"	"	—	—	"	"
16.	टस्पन टाईम को मम सिस्ट	IS: 555-1975	1000 लीटर	"	"	—	2447 1980-08-28	1980-09-20	82-06-01
17.	बरोडा (गोद बरोडा)	IS: 555-1969	1000 किलो	"	"	—	"	"	"
18.	ट्राईसोडियम फास्फेट तकनीकी	IS: 575-1975	एक मीटर टन	"	"	—	651 1980-03-15	1980-03-15	1983-11-16
19.	काचम सोडियम मोटा फास्फेट	IS: 574-1988	एक मीटर टन	6.00	सभी	—	—	एम एफ को पुराने दूरे एक मीटर टन 5.0 सभी के लिए	82-12-01
20.	सामान्य मोटा के लिए टबने बूट	IS: 585-1969	एक जोड़ा	0.05	सभी	—	652 1980-03-15	1980-03-15	1983-11-01
21.	आयु गुमान के होज (खर के स्तर लगे बुने-बक्रेट वाले)	IS: 656-1979	100 मीटर	6.00	पहली 500	—	1376 1964-04-11	1964-04-11	1982-06-16
22.	अनुसूची जोड़ देने के लिए खर की बट्टे	IS: 638-1979	एक मीटर टन	25.00	सभी	2758 1981-09-17	—	1981-10-10	"
23.	जस्ता बलोराईड	IS: 701-1966	"	"	"	—	621 1980-03-15	1980-03-15	1983-12-01
24.	कार्बन टेट्रा सलोराईड	IS: 718-1977	"	6.00	पहली 1000	—	2447 1980-08-28	1980-09-20	1982-06-01
25.	स्वाही, ड्राइंग, जलसह काली	IS: 789-1971	एक लीटर	4.00	सभी	—	622 1980-03-15	1980-03-15	1983-11-16
26.	मोल करने की मोम	IS: 868-1956	एक कि. ग्राम	0.12	सभी	—	621 1980-03-15	1980-03-15	1983-11-01
27.	केलियम फास्फेट तकनीकी	IS: 1040-1978	एक मीटर टन	2.50	पहली 2000	—	622 1980-03-15	1980-03-15	"
28.	बुलबुल कटाई तेल	IS: 1115-1975	एक कि. लीटर	1.25	सभी	—	1447 1980-08-28	1980-08-28	1983-06-01
29.	स्वाही संभारण बचाव तेल तलत फिल्म बोलक पदार्थ	IS: 1153-1975	एक लीटर	0.05	सभी	—	952 1979-03-16	1979-03-17	1983-06-01
30.	स्वाही संभारण, बचाव, तेल नरम	IS: 1154-1957	"	"	"	—	"	"	"
31.	केमिकल डलाई सामग्री	IS: 1300-1966	एक मीटर टन	15.50	सभी	—	1447 1980-08-28	1980-09-20	1983-07-16

1	2	3	4	5	6	7	8	9	10
32.	ईसविम समोराईड	IS: 1514-1967	एक मीटर टन	6.00	पहली 500	--	616	1980-03-15	1982-11-16
33.	फाउंटेशन की स्पाही, कैरोंमो टेनेट (0.2% सीह युक्त)	IS: 1581-1975	एक लीटर	3.00 1.50 0.04	अगली 500 शेष सभी	--	1980-02-25	1980-03-15	1982-12-01
34.	पिटर् एलुमिनियम के बर्तन	IS: 1660 (भाग 1)-67 IS: 1960 (भाग 2)-72 IS: 1960 (भाग 3)-72 IS: 1660 (भाग 4)-77	एक मीटर टन	6.00 5.00	पहली 1000 शेष	--	1980-02-27 1979-04-09	1979-04-23	1983-08-16
35.	स्वाही सकल वचाव नग्न, नरम फ्लिम धोलक पदार्थ	IS: 1674-1960	एक लीटर	0.03	सभी	--	951 1979-02-26	1979-02-17	1982-06-01
36.	खनिजों और भारी धातु उद्योगों से प्रयुक्त चमड़े के वचाव बूट और जूते	IS: 1989 (भाग 1)-73 IS: 1989 (भाग 2-78)	एक जोड़ा	0.25 0.20 0.15 1.25	पहली 1000 अगली 500 शेष सभी	540 1977-11-17	--	1977-11-19	1982-05-16
37.	ट्रेनिंग कपड़ा	IS: 2037-1965	100 मी०	2.00	सभी	--	2447 1980-08-18	1980-09-20	1982-08-16
38.	सामान्य सह निर्यात (निर्यात)	IS: 2389-1977	"	0.03	सभी	--	2444 1980-08-27	1980-09-10	1982-05-16
39.	अथन सोडियम सायोसिस्ट, फोस्फोफी ग्रेड	IS: 2211-1972	एक कि० ग्रा०	2.50 0.50 0.15 40.00	पहली 2000 शेष सभी	--	621 1980-02-27	1980-02-15	1982-11-16
40.	सिस्वर नाईट्र	IS: 2214-1977	"	2.50	सभी	--	"	"	"
41.	घरेलू प्रेशर कुकर	IS: 2347-1947	एक कुकर	0.50 0.15	पहली 2000 शेष	--	2444 1980-08-17	1980-09-13	1982-09-16
42.	चमड़े के दस्ताने और दस्ताने	IS: 2575-1975	1000 जोड़ा	40.00	सभी	--	1790 1980-05-23	1980-07-05	1982-12-16
43.	नहाने का साबून	IS: 2888-1974	एक मीटर टन	2.50 1.25	पहली 10000 शेष	--	1384 1979-04-09	1979-04-28	1982-07-16
44.	कटाई तेल, स्वच्छ	IS: 3065-1970	एक लीटर	0.03 0.02	पहली 20000 शेष	--	313 1978-01-13	1987-02-04	1982-09-01
45.	अवशेषित वैश्वियम कार्बोनेट, तकनीकी	IS: 3205-1965	एक मीटर टन	3.00 2.00	पहली 1000 शेष	71 1977-11-09	--	1978-01-14	1982-11-16
46.	सामान्य काटों के लिए अवशेषित पिचकारियां	IS: 3226-1965	100 पिचकारियां	1.50 1.00 0.50	पहली 5000 अगली 5000 शेष	3050 1978-09-27	--	1978-10-21	1982-06-01
47.	इन्सुलीन और ट्यूबर मूलोन इन्सुलीन के लिए के लिए अवशेषित पिचकारियां	IS: 3237-1965	"	"	"	"	--	"	"
48.	बी-आक्सीमैथैलिक वम्ल वोन अम्ल	IS: 3245-1965	एक कि० ग्रा०	0.08	सभी	--	2447 1980-08-28	1980-09-20	1982-09-16

1	2	3	4	5	7	8	9	10
49. परिसर के स्टेनलेस स्टील के बर्तन	IS : 3258-1980	100 किग्रा	2.00	सभी	308 1981-08-15	--	1981-09-05	1982-11-16
50. सूईयां अधस्तनीय	IS : 3317-1965	1000 सूईयां	2.00	सभी	--	560 1970-11-16	1970-11-07	1982-06-16
51. शल्म स्टील के लिए अलग किए जाने वाले ब्लैंड	IS : 3319-1971	1000 ब्लैंड	4.00 3.00 1.50	पहली 2000 अगली 2000 शेष	-- 1980-08-07	444	1980-09-10	"
52. यूटिला फारमल डिहाईड बनाई सामग्री	IS : 3389-1978	एक मीटरी टन	12.50 6.15 3.60	पहली 500 अगली 300 शेष	--	1790 1980-05-23	1980-07-05	1983-02-16
53. पौर बासा नादी मापी	IS : 3390-1977	एक	1.50	सभी	--	2444 1980-05-23	1980-09-13	1982-06-16
54. खाता पकाने के स्टेनलेस स्टील के बर्तन	IS : 3411-1980	100 किग्रा	2.00	सभी	--	2153 1980-07-24	1980-08-09	1982-11-16
55. कार्बन वेपर के लिए आधार कागज	IS : 3413-1977	"	0.50	सभी	2553 1969-06-13	--	1969-06-28	"
56. शेष के लिए स्टेनलेस स्टील के बर्तन	IS : 3424-1980	"	2.00	सभी	2063 1981-07-08	--	1980-8-01	"
57. सामान्य कयों के लिए चांदी का पानी चढ़ा बीन्हा	IS : 3438-1977	1000 मी ³	1.25	सभी	--	621 1980-02-27	1980-03-15	"
58. हैक्सेन खाद्य ग्रेड	IS : 3470-1966	एक कि० लीटर	1.25	पहली 10000	--	2444 1980-08-27	1980-09-13	1982-08-16
59. कपूर	IS : 3584-1966	एक किग्रा	1.00 0.02 0.01	शेष पहली 500,000 शेष	--	2447 1980-08-28	1980-09-20	1982-06-01
60. मोलामाइन फारमल डिहाईड टलाई सामग्री	IS : 3668-1966	एक मीटरी टन	15.00	सभी	--	2444 1980-08-27	1980-09-13	"
61. तापरोधन के लिए अपरिबद्ध चट्टान और उन की लाप	IS : 3677-1973	एक मीटरी टन	4.00	सभी	--	4502 1976-11-05	1976-11-27	1980-07-01
62. चमड़ी के लिए पाउडर	IS : 3959-1987	एक किग्रा	0.25 0.15 0.05	पहली 10000 अगली 10000 शेष	615 1980-02-15	--	1980-03-15	1982-08-16
63. खनिजों के दबाव के लिए रबर के कनबल बूट	IS : 3976-1975	एक जोड़ा	0.25 0.20 0.12	पहली 10000 अगली 20000 शेष	--	2237 1969-05-20	1969-06-07	1982-05-16
64. डिस्कस	IS : 4142-1967	एक डिस्कस	0.10	सभी	--	पुनर्नी दूर एक डिस्कस - 5 वैसे सभी के लिए	1982-08-16	"
65. शल्य चिकित्सा में प्रयुक्त रबर के दस्ताने	IS : 4148-1967	100 जोड़ा	1.00	सभी	--	722 1987-02-21	1980-03-11	"

1	2	3	4	5	6	7	8	9	10
66	टाइपराईटर के रीबल	IS : 4174-1977	100	0.65 सभी		—	621 1980-02-27	1980-03-15	1982-11-16
67	गन्तियों सहित करने का तरल पदार्थ	IS : 4175-1981	एक लीटर	2.50 सभी		1722 1981-03-15	—	1981-06-13	1982-11-16
68	तरल नहाने का माबूत	IS : 4175-1981	100 लिटर	1.25 सभी		—	1384 1979-04-28	1979-04-28	1982-07-01
69	ओ-फ्लोरोएनीलीन	IS : 4334-1967	एक किग्रा	0.08 सभी		—	2444 1980-08-27	1980-09-13	1982-09-16
70	एम फ्लोरोएनीलीन	IS : 4335-1967	"	" "		—	—	"	"
71	पी-फ्लोरोएनीलीन	IS : 4336-1967	"	" "		—	—	"	"
72	2, 5 डाइक्लोरोएनीलीन	IS : 4528-1976	एक	0.25 पहली 1000 0.20 शेष		—	621 1981-01-27	1981-02-21	1982-06-16
73	खाना बनाने के स्टेनलेस स्टील के बर्तनों के तली के लिए विद्रुयुक्त मिश्रित ताम्बा	IS : 4536 (सब 1) .1968	एक मीटर की टन	12.50 पहली 500 10.00 अगली 1000		3538 1977-10-27	—	1977-11-19	1982-09-01
74	कच्ची प्राकृतिक रबड़	IS : 4588-1975		7.50 शेष		—	—	1976-12-08	1982-12-16
75	पैराकिन मोम	IS : 4654-1974	"	6.00 पहली 500 4.00 अगली 500		—	4734 1976-11-25	—	—
76	बूना उद्योग के लिए स्वामी रबड़ आधार बेपक	IS : 4663-1968	100 लीटर	2.00 अगली 10000 1.00 शेष		—	—	1980-09-13	1982-08-01
77	एलरीडी के साथ प्रयोग के लिए घरेलू खाना बनाने के रोज़ किलर सहित	IS : 4760-1979	एक कुकिंग रेंज	2.50 पहली 1500 1.25 अगली 1500		—	2444 1980-08-27	—	—
78	हिना टेक वाला पॉलीसी बरसाती कोट	IS : 4761-1988	एक पीस	0.75 शेष 4.00 पहली 1000		—	305 1974-01-18	1974-02-02	1982-06-01
79	घरेलू उद्योग के लिए संश्लिष्ट अपमार्जक	IS : 4955-1978	एक मीटर की टन	2.00 शेष 0.03 सभी		—	1102 1974-08-02	1974-08-17	1982-08-01
80	ऑक्सीजनिक कार्यों के लिए संश्लिष्ट अपमार्जक	IS : 4956-1977	एक किग्रा	2.50 पहली 1000 1.25 शेष		2308 1981-08-13	—	1981-09-05	1982-07-16
81	एलपीजी के साथ प्रयोग के लिए व्यापक बायलिम	IS : 5117-1969	एक बरतार	0.06 पहली 50000 0.04 शेष		1387 1979-04-09	—	1979-04-28	"
82	लोहा आपरेशन की हाईड्रो लिफ्ट, बड़ी मेज	IS : 5291-1969	एक मेज	0.75 सभी		—	4391 1976-10-27	1976-11-20	1982-06-01
83	सोडा बूना कार्बनडाई थाक्साइड होषक के रूप में	IS : 5321-1969	एक मीटर की टन	30.00 सभी		2759 1981-09-17	—	1981-10-10	"
				25.00 सभी		—	616 1980-03-23	1980-03-15	1982-12-16

1	2	3	4	5	6	7	8	9	10
84.	नई समेत, जल में और सीवर के लिए रबड़ के क्लिपिंग रिंग	IS 5382-1969	एक फीस	0.10 पहली 10000 0.05 शेष	—	—	4503 1976-11-05	1976-11-27	1982-09-01
85.	वात पाउडर	IS : 5383-1978	एक क्वा०	0.30 सभी	—	पुराने एम एक दर एक क्वा० 25 वैसे सभी	—	—	1982-08-01
86.	सफाई नैपकिन के रबड़ रहित बड़े सॉरिज बाल	IS : 5405-1980	100 नैपकिन	0.05 पहली 100000 0.03 शेष	3444	—	—	1981-12-26	1982-08-16
87.	सीमेंट रंग रोगन वाष्पित रंग वाले	IS : 5410-1969	एक क्वा०	0.04 सभी	—	1981-12-03	1330	1979-04-28	1982-06-01
88.	बिजली कार्यों के लिए रबड़ की चटाईयां	IS : 5424-1969	एक चटाई	2.50 सभी	1506	—	—	1977-05-21	1982-08-01
89.	अमोनिया में रबी गहरी प्राकृतिक रबड़ से टेक्स	IS : 5430-1969	एक मोटरी टन	20.00 पहली 500 1500. बमली 1000 10.00 शेष	2465	1977-04-28	—	—	—
90.	ऑक्सीजन और बचाव के लिए रबड़ के टेक्नाइट	IS : 5557-1969	एक जोड़ा	0.06 सभी	—	1977-07-20	2110	1974-08-17	1982-12-01
91.	पी एसीसाईडेशन	IS : 5646-1970	एक क्वा०	0.08 सभी	—	—	1974-08-02	1980-08-13	1982-09-16
92.	पी टॉलू इथाइन	IS : 5647-1970	"	"	—	—	2444	1980-08-27	"
93.	ओ एनीसाइथाइन	IS : 5648-1970	"	"	—	—	2447	1980-09-13	"
94.	ओ टोलूइथाइन	IS : 5649-1970	"	"	—	—	1980-08-28	1980-09-13	"
95.	स्वर्ण संस्करण बचाव नरम फिल्म सरस ड्रवाउ प्रकार के	IS 6048-1970	एक लीटर	0.03 सभी	—	—	1980-08-27	1979-03-17	1982-06-01
96.	छोटे अपरेशन के लिए हाइड्रोलिक मेज	IS : 6106-1971	एक मेज	30.00 सभी	2759	1979-02-26	—	1981-10-10	1982-06-16
97.	दंतीय प्रयोगशाला, ल्यास्टर	IS : 6555-1972	एक मोटरी टन	25.00 पहली 200 12.50 शेष	1981-09-17	—	—	1975-02-22	1982-10-16
98.	बंद न होने वाली पहिए वाली कुर्सियां संस्थागत समूह वाली	IS 6571-1972	एक कुर्सी	2.50 सभी	—	पुरानी एम एक दर 1 रु० 20.00 पहली 200 सभी 2) रु० 10.00 शेष	—	1980-06-07	1982-06-01
99.	एलुमिनियम के बने दूध के बाबलर	IS 7185-1973	एक दूध का बाबलर	0.25 पहली 15000 0.15 शेष	537	—	—	1981-10-10	1982-06-01
100.	सेफ्टी रेंजर	IS : 7370-1974	एक रेंजर	0.50 सभी	—	1975-02-03	2542	1980-05-16	1982-06-01
101.	विस्कोटक और आतिस बाजी उद्योग के लिए पैराफिन मोम	IS : 7401-1974	एक मोटरी टन	3.00 सभी	2758	—	—	1981-10-10	1982-06-01
102.	प्रसार कुकर के लिए रबड़ के रैसकेट	IS : 7466-1974	एक रैसकेट	0.01 सभी	—	1981-09-17	2877	1978-09-30	1982-08-16
							1978-09-13		

1	2	3	4	5	6	7	8	9	10
103.	सौफ्ट सोप	IS : 7532-1974	एक मीटर टन	6.00	पहली 500	—	3826	1979-11-24	1982-08-16
				4.00	शेष		1979-10-31		
104.	एनी डायराईड प्रकार की नाडी मापी	IS 7652-1975	एक	1.50	सभी	—	2444	1980-09-13	1982-06-16
							1980-08-27		
105.	उबले पानी के लिए उपचार मिश्रण	IS : 7932-1976	एक लीटर	0.04	सभी	—	174	1978-01-21	1982-11-16
							1977-12-27		
106.	दांतों के लिए बनावटी पत्थर	IS : 8019-1976	एक मीटर टन	25.00	पहली 200	—	1790	1980-07-05	1982-12-16
				12.00	शेष		1980-05-23		
107.	उनी बंधी सामग्री	IS : 8183-1976	"	80	8.00	पहली 1000	1997	—	1980-07-26
					4.00	शेष	1980-07-09		1982-07-01
108.	क्षारीय बैजिन सफाईक अम्ल	IS : 8401-1977	"	25.00	सभी	—	3972	1979-12-08	"
							1979-11-20		
109.	तार और बुनी डोरियों के लिए स्नेहक	IS : 9182(भाग 1)-79	एक कि०ग्रा०	0.03	पहली 100000	—	1660	1981-06-06	1982-08-01
		IS : 9182(भाग 2)-79		0.02	असली 200000		1981-05-14		
		IS : 9182(भाग 3)-79		0.01	शेष				

[सं० सी० एम० डी० / 13:10]

ए० पी० बनर्जी, अपर महानिदेशक

MINISTRY OF FOOD AND CIVIL SUPPLIES
(Deptt. of Civil Supplies)
INDIAN STANDARDS INSTITUTION
New Delhi, the 26th October, 1983

S.O. 4199.—The Indian Standards Institution hereby notifies that the marking fees pertaining to various products referred to in Col. 2 and 3 of the following Schedule have been revised as mentioned in Col. 4, 5 and 6 thereof. The revised rate of marking fees shall come into force with effect from the dates shown against each :

SCHEDULE

Sl. No.	Product	IS : No.	Unit	Marking Fee Rates		Reference to Govt. of India Gazette Notification Part-II, Section-3, Sub-section (ii)			Date of Effect
				Per Unit Rs. p.	For Units	Superseded S.O.No.	Partially Modified S.O.No.	Date of Issue	
1	2	3	4	5	6	7	8	9	10
1.	Basic carbonate of lead (white lead) for paints	IS : 34—1975	One tonne	10.00	All	—	621 1980-02-27	1980-03-15	1982-12-01
2.	Ultramarine blue for paints.	IS : 55—1970	-do-	10.00 5.00	First 1000 Remaining	—	622 1980-02-27	1980-03-15	-do-

1	2	3	4	5	6	7	8	9	10
							622		
3. Ferro-gall tannate fountainpen ink (0.1 per cent iron content)	IS : 220—1972	One litre	0.04	All	—	—	1980-02-27	1980-03-15	1982-12-01
4. Trichloroethylene technical	IS : 245—1970	One tonne	7.50	First 1000	—	—	1384	1979-04-22	1982-06-01
			6.00	Next 1000	—	—	1979-04-09		
			5.03	Remaining	—	—			
5. Sodium thiosulphate, crystalline (photographic grade only)	IS : 246—1972	-do-	6.00	All	—	—	622	1980-03-15	1982-12-01
					—	—	1980-02-27		
6. Laundry soaps	IS : 285—1974	-do-	2.50	First 1000	—	—	1384	1979-04-28	1982-07-16
			1.25	Remaining	—	—	1979-04-09		
7. Compressed oxygen gas.	IS : 309—1974	100 m ³	0.60	First 5000	—	—	621	1980-03-15	1982-11-16
			0.30	Remaining	—	—	1980-02-27		
8. Rectified spirit	IS : 323—1959	100 litres	0.20	First 25000	—	—	2444	1980-09-13	1982-06-01
			0.15	Next 5000	—	—	1980-08-27		
			0.10	Remaining	—	—			
9. Brushes, paints and varnishes, flat.	IS : 384—1979	100 Brushes	1.25	All	—	—	622	1980-03-15	1982-11-16
					—	—	1980-01-27		
10. Ink, stamp pad	IS : 393—1975	One litre	0.05	All	—	—	4808	1976-12-25	1982-07-16
					—	—	1976-12-06		
11. Footballs, volleyballs, basketballs, netballs, throwballs and water polo balls.	IS : 417(Pt I)— —1974	One Piece	0.10	All	3545	1963-12-12	—	1963-12-21	1982-07-01
	IS : 417 (Pt II) —1974								
	IS : 417 (Pt III) —1974								
	IS : 417 (Pt IV) —1976								
	IS : 417 (Pt VI) —1976								
12. Machinery and spindle oil	IS : 493—1958	One Kilolitre	12.50	All	—	—	2759	1981-10-10	1982-06-16
					—	—	1981-09-17		
13. Automotive grease.	IS : 506—1973	One kg.	0.03	All	—	—	2123	1982-03-09	1982-06-01
					—	—	1980-07-24		
14. General purpose grease	IS : 507—1970	One Tonne	2.50	All	1766	1976-04-23	—	1976-05-29	1982-06-01
15. Grease, graphite	IS : 508—1973	-do-	-do-	-do-	-do-	-do-	—	-do-	-do-
16. Gum spirit of turpentine.	IS : 533—1973	1000 litres	-do-	-do-	—	—	2447	1980-09-20	1982-06-01
17. Rosin (gum rosin).	IS : 552—1969	1000 kg.	-do-	-do-	—	—	1980-08	-do-	-do-
18. Trisodium phosphate technical.	IS : 573—1973	One Tonne	-do-	-do-	—	—	621	1980-03-15	1982-11-16
					—	—	1980-02-27		
19. Glossy sodium metaphosphate.	IS : 574—1980	One Tonne	6.00	All	Old M.F. Rates : One Tonne	Rs. 5.00 for All			1982-12-01
20. Ankle boots for general	IS : 583—1969	One Pair	0.03	All	—	—	622	1980-03-15	1982-12-01
					—	—	1980-02-27		
21. Fire fighting hose (rubber lined woven-jacketed).	IS : 636—1979	100 m	6.00	First 500	—	—	1276	1981-04-11	1982-06-16
			3.00	Remaining	—	—	1981-03-30		

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
22. Sheet rubber jointing rubber insertion jointing	IS : 638—1979	One Tonne		25.00	All	2758 1981-09-17	—	1981-10-10	-do-
23. Zinc chloride.	IS : 701—1966	-do-		-do-	-do-	—	621 1980-02-27	1980-03-15	1982-12-01
24. Carbon tetrachloride.	IS : 718—1977	-do-		6.00	First 1000	—	2447 1980-08-28	1980-03-20	1982-05-31
25. Ink, drawing, water-proof, black.	IS : 789—1971	One Litre		0.12	Remaining All	—	622 1980-02-27	1980-03-15	1982-11-16
26. Sealing wax.	IS : 863—1956	One kg		0.05	All	—	621 1980-02-27	1980-03-15	1982-12-01
27. Calcium carbide, technical	IS : 1040—1978	One Tonne		2.50	First 2000	—	622 1980-02-27	1980-03-15	-do-
28. Oil cutting soluble.	IS : 1115—1973	One Kilolitre		12.00	Remaining All	—	2447 1980-03-28	1980-09-20	1982-06-01
29. Temporary Corrosion preventive, fluid, hard film, solvent deposited.	IS : 1153—1975	One Litre		0.03	All	—	952 1979-08-26	1979-03-17	1982-06-01
30. Temporary corrosion preventive, fluid, soft film.	IS : 1154—1957	-do-		-do-	-do-	—	-do-	-do-	-do-
31. Phenolic moulding materials	IS : 1300—1965	One Tonne		12.50	All	—	2447 1980-8-28	1980-09-20	1982-07-16
32. Calcium chloride	IS : 1314—1967	-do-		6.00	First 500	—	616 1980-02-25	1980-03-15	1982-11-16
33. Ferro-gallotannate fountain pen ink (0.2 percent iron content).	IS : 1581—1975	One Litre		0.04	Next 500 Remaining All	—	622 1980-03-27	-do-	1982-12-01
34. Wrought aluminium utensils	IS : 1660 (Pt I) —1967 IS : 1660 (Pt II) —1972 IS : 1660 (Pt III) —1972 IS : 1660 (Pt IV) —1977	One Tonne		6.00 5.00	First 1000 Remaining	—	1386 1979-04-09	1979-04-28	1982-06-16
35. Temporary corrosion preventive, fluid soft film, solvent deposited.	IS : 1674—1960	One Litre		0.03	All	—	952 1979-03-26	1979-03-17	1982-05-31
36. Leather safety boots and shoes for miners and heavy metal industries.	IS : 1989 (Pt I) 1978 IS : 1989 (Pt II) —1978	One Pair		0.25 0.20 0.15 0.15	First 1000 Next 2000 Remaining	3540 1977-10-27	—	1977-11-19	1982-05-16
37. Tracing cloth.	IS : 2037—1962	100m ²		1.25	All	—	2447 1980-08-28	1980-09-20	1982-08-16
38. Common proofed pauline (tarpauline)	IS : 2089—1977	-do-		2.00	All	—	2444 1980-08-27	1980-09-13	1982-05-16
39. Arhydrox sodium thiosulphate, photographic grade.	IS : 2211—1972	One kg		0.03	All	—	621 1980-02-27	1980-03-15	1982-11-16

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
40. Silver nitrate.	IS : 2214—1977	One Kg.	2.50	All	—	621	1930-03-15	1982-11-16	
41. Domestic pressure cookers	IS : 2347—1974	One Cooker	0.30 0.15	First 20000 Remaining	—	1930-02-27 2444	1930-02-13	1931-02-15	
42. Leather gauntlets and mitens	IS : 2573—1975	1000 Pairs	40.00	All	—	1980-03-27 1790 1980-05-23	1980-07-05	1982-12-16	
43. Toilet soaps.	IS : 2888—1974	One Tonne	2.50 1.25	First 1000 Remaining	—	1384 1979-04-09	1979-04-28	1982-07-16	
44. Cutting Oil, neat.	IS : 3065—1970	One Litre	0.03 0.02	First 20000 Remaining	—	313 1978-01-13	1978-02-04	1982-09-01	
45. Precipitated barium carbonate, technical.	IS : 3205—1965	One Tonne	3.00 2.00	First 1000 Remaining	71 1977-12-09	—	1978-01-14	1982-11-16	
46. Hypodermic syringes for general purposes.	IS : 3236—1965	100 Syringes	1.50 1.00 0.50	First 5000 Next 5000 Remaining	3050 1978-09-27	—	1978-10-21	1982-06-01	
47. Hypodermic syringes for insulin and tuberculin injection.	IS : 3237—1965	-do-	-do-	-do-	-do-	—	-do-	-do-	
48. B-oxynaphthoic acid (bon acid).	IS : 3242—1965	One kg	0.03	All	—	2447 1980-08-28	1980-09-20	1982-09-16	
49. Stainless steel serving utensils.	IS : 3258—1980	100 kg	2.00	All	2308 1981-08-13	—	1981-09-05	1982-11-16	
50. Needles, hypodermic	IS : 3317—1965	1000 needles	2.00	All	—	3563 1970-10-16	1970-11-07	1982-06-16	
51. Detachable blades for surgical scalpel.	IS : 3319—1973	1000 blades	4.00 3.00 1.50	First 2000 Next 2000 Remaining	—	2444 1980-08-27	1980-09-13	-do-	
52. Urea-formaldehyde moulding materials	IS : 3389—1978	One Tonne	12.50 6.25 3.00	First 500 Next 500 Remaining	—	1790 1980-05-23	1980-07-05	1983-02-16	
53. Sphygmomanometer mercurial	IS : 3390—1977	One Sphygmomanometer	1.50	All	—	2444 1980-08-27	1980-09-13	1982-06-16	
54. Stainless steel cooking utensils.	IS : 3411—1980	100 kg	2.00	All	—	2123 1980-07-24	1980-08-09	1982-11-16	
55. Base paper for carbon paper.	IS : 3413—1977	-do-	0.50	All	2553 1969-06-13	—	1969-06-28	-do-	
56. Stainless steel table utensils	IS : 3424—1980	-do-	2.00	All	2063 1981-07-08	—	1981-08-01	-do-	
57. Silvered glass mirrors for general purposes.	IS : 3438—1977	1000 m ²	1.25	All	—	621 1980-02-27	1980-03-15	-do-	
58. Hexane, food grade.	IS : 3470—1966	One Kilolitre	1.25 1.00	First 10000 Remaining	—	2444 1980-08-27	1980-09-13	1982-08-16	
59. Camphor.	IS : 3584—1966	One kg	0.02 0.01	First 500,000 Remaining	—	2447 1980-08-28	1980-09-20	1982-06-01	
60. Melamines formaldehyde moulding materials	IS : 3669—1966	One Tonne	15.00	All	—	2444 1980-08-27	1980-09-13	-do-	
61. Unbounded rock and slag wool for thermal insulation.	IS : 3677—1973	One Tonne	4.00	All	—	4502 1976-11-05	1976-11-27	1982-07-01	
62. Skin powders	IS : 3959—1978	One kg	0.25 0.15 0.05	First 10000 Next 10000 Remaining	615 1980-02-25	—	1980-03-15	1982-08-16	
63. Safety rubber canvas boots for miners.	IS : 3976—1975	One Pair	0.25 0.20 0.12	First 10000 Next 20000 Remaining	—	2237 1969-05-20	1969-06-07	1982-05-16	

1	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
64. Discus.		IS : 4142—1967	One Discus	0.10	All	—	Old Rate : One Discus—5 Paise All—	1982-08-16	
65. Surgical rubber gloves.		IS : 4148—1967	100 Pairs	1.00	All	—	722 1978-02-21	1978-03-11	-do-
66. Typewriter ribbons		IS : 4174—1977	100 Spools of ribbons	0.65	All	—	621 1979-02-27	1980-03-15	1982-11-16
67. Correcting fluid.		IS : 4175—1981	One Litre	2.50	All	1722 1981-05-15	—	1981-06-13	-do-
68. Liquid toilet soap.		IS : 4199—1974	100 Litres.	1.25	All	—	1384 1979-04-09	1979-04-28	1982-07-01
69. O-chloroaniline.		IS : 4334—1967	One kg	0.08	All	—	2444 1980-08-27	1980-09-13	1982-09-16
70. M-chloroaniline.		IS : 4335—1967	-do-	-do-	-do-	—	-do-	-do-	-do-
71. P-chloroaniline.		IS : 4336—1967	-do-	-do-	-do-	—	-do-	-do-	-do-
72. 2, 5-dichloroaniline.		IS : 4526—1976	-do-	-do-	-do-	—	-do-	-do-	-do-
73. Composite bottom stainless steel cooking utensils, copper electro-deposited.	cooking	IS : 4536 (Pt I) —1968	One vessel	0.25 0.20	First 10000 Remaining	—	621 1981-01-27	1981-02-21	1982-06-16
74. Raw natural rubber.		IS : 4588—1975	One Tonne	12.50 10.00 7.50	First 500 Next 1000 Remaining	3538 1977-10-27	—	1977-11-19	1982-09-01
75. Paraffin wax		IS : 4654—1974	-do-	6.00 4.00 2.00 1.00	First 500 Next 5000 Next 10000 Remaining	—	4734 1976-11-25	1976-12-08	1982-12-16
76. Permanent rubber based adhesives for foot-wear industry.		IS : 4663—1968	100 Litres	2.50 1.25 0.75	First 1500 Next 1500 Remaining	—	2444 1980-08-27	1980-09-13	1982-08-01
77. Domestic cooking ranges including grillers, for use with LPG		IS : 4760—1979	One cooking range	4.00 2.00	First 1000 Remaining	—	305 1974-01-18	1974-02-02	1982-06-01
78. Unsupported PVC rainwear		IS : 4761—1968	One piece	0.03	All	—	2110 1974-08-02	1974-08-17	1982-08-01
79. Synthetic detergents for household use.		IS : 4955—1978	One Tonne	2.50 1.25	First 1000 Remaining	2308 1981-08-13	—	1981-09-05	1982-07-16
80. Synthetic detergents for industrial purposes.		IS : 4956—1977	One kg	0.06 0.04	First 50000 Remaining	1387 1979-04-09	—	1979-04-28	-do-
81. Commercial boiling burners for use with LPG		IS : 5117—1969	One Burner	0.75	All	—	4391 1976-10-27	1976-11-20	1982-06-01
82. Table, operation, hydraulic, major		IS : 5291—1969	One Table	30.00	All	2759 1981-09-17	—	1981-10-10	-do-
83. Soda lime (as carbon dioxide absorbent)		IS : 5321—1969	One Tonne	25.00	All	—	616 1980-02-25	1980-03-15	1982-12-16
84. Rubber sealing rings for gas mains, water mains and sewers.		IS : 5382—1969	One Piece	0.10 0.05	First 10000 Remaining	—	4503 1976-11-05	1976-11-27	1982-09-01
85. Tooth powder.		IS : 5383—1978	One kg	0.30	All	Old M.F. Rate—One kg—25 Paise—All—	—	—	1982-08-01
86. Sanitary napkins, beltless, large size.		IS : 5405—1980	100 Napkins	0.05 0.03	First 100000 Remaining	3444 1981-12-03	—	1981-12-26	1982-08-16
87. Cement paint, colour as required.		IS : 5410—1969	One kg	0.04	All	—	1386 1979-04-09	1979-04-28	1982-06-01
88. Rubber mats for electrical purposes.		IS : 5424—1969	One Mat	2.50	All	1506 1977-04-28	—	1977-05-21	1982-08-01

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
89. Ammonia preserved concentrated natural rubber latex.	IS : 5430—1969	One Tonne (DRC basis)	20.00 15.00 10.00	First 500 Next 1000 Remaining	2465 1977-07-20	—	1977-08-06	1982-09-01	
90. Industrial and safety rubber knee boots.	IS : 5557—1969	One Pair	0.06	All	—	2110 1974-08-02	1974-08-17	1982-12-01	
91. p-anisidine	IS : 5646—1970	One kg	0.08	All	—	2444 1980-08-27	1980-09-13	1982-09-16	
92. p-Toluidine	IS : 5647—1970	-do-	-do-	-do-	—	-do-	-do-	-do-	
93. o-Anisidine.	IS : 5648—1970	-do-	-do-	-do-	—	2447 1980-08-28	1980-09-20	-do-	
94. o-Toluidine.	IS : 5649—1970	-do-	-do-	-do-	—	2444 1980-08-27	1980-09-13	-do-	
95. Temporary corrosion preventive, soft film, hot dipping type.	IS : 6048—1970	One Litre	0.03	All	—	952 1979-02-26	1979-03-17	1982-06-01	
96. Tables, operation, hydraulics, minor.	IS : 6106—1971	One Table	30.00	All	2759 1981-09-17	—	1981-10-10	1982-06-16	
97. Dental laboratory, plaster.	IS : 6555—1972	One Tonne	25.00 12.50	First 200 Remaining	Old M.F. Rate—	(i) Rs.20.00 (ii) Rs.10.00	First 200 Remaining	All	1982-12-16
98. Non-folding wheel chairs, institutional model.	IS : 6571—1972	One Chair	2.50	All	Old M.F. Rate—Rs.2.00	All	—	1982-08-01	
99. Aluminium milk boilers.	IS : 7185—1973	One Milk boiler	0.25 0.15	First 15000 Remaining	537 1975-02-03	—	1975-02-22	1982-10-16	
100. Razors, safety.	IS : 7370—1974	One Razor	0.50	All	—	1542 1980-05-16	1980-06-07	1982-06-16	
101. Paraffin wax for explosive and pyrotechnic industry.	IS : 7401—1974	One Tonne	3.00	All	2758 1981-09-17	—	1981-10-10	1982-06-01	
102. Rubber gasket for pressure cookers.	IS : 7466—1974	One Gasket	0.01	All	—	2877 1978-09-13	1978-09-30	1982-08-16	
103. Soft soap.	IS : 7532—1974	One Tonne	6.00 4.00	First 500 Remaining	—	3826 1979-10-31	1979-11-24	-do-	
104. Sphygmomanometer, aneroid type.	IS : 7652—1975	One Sphygmomanometer.	1.50	All	—	2444 1980-03-27	1980-09-13	1982-06-16	
105. Boiler water treatment compound	IS : 7932—1976	One Litre	0.04	All	—	174 1977-12-27	1978-01-21		
106. Dental artificial stone.	IS : 8019—1976	One Tonne	25.00 12.50	First 200 Remaining	—	1790 1980-05-23	1980-07-05	1982-12-16	
107. Bonded mineral wool.	IS : 8183—1976	-do-	8.00 4.00	First 1000 Remaining	1997 1980-07-09	—	1980-07-26	1982-07-01	
108. Alkyl benzene sulphuric acid	IS : 8401—1977	-do-	25.00	All	—	3972 1979-11-20	1979-12-08	-do-	
109. Lubricants for wire ropes and fibre cores.	IS : 9182 (Pt I) —1979 IS : 9182 (Pt II) —1979 IS : 9182 (Pt III) —1979	One kg 0.01 -do-	0.03 0.02 0.01 -do-	First 100000 Next 200000 Remaining	—	1660 1981-05-14	1981-06-06	1982-08-01	
					—	1548 1981-04-24	1981-05-23	-do-	

[No. CMD/13 : 10]

A.P. BANERJI, Addl. Director General

ऊर्जा मंत्रालय
(पेट्रोलियम विभाग)

गुडि-पत्र

नई दिल्ली, 29 अक्टूबर, 1983

का.आं० 4200.—भारत के राजपत्र के भाग-II, खण्ड 3, उपखण्ड (ii) दिनांक 16-4-83 के पृष्ठ संख्या 1822 पर का.आं० संख्या 1852 के अन्तर्गत, प्रकाशित, भारत सरकार, ऊर्जा मंत्रालय की अधिसूचना संख्या 120/6/20/83-प्रोड०, दिनांक 28-3-83 में इस प्रकार पढ़ें।

पढ़ें			के लिए		
राज्य	जिला	तालुका	जिला	जिला	तालुका
गुजरात	मेहसाना	कडी	गुजरात	मेहसाना	कडी

[12016/20/83 प्रोड०]

राजेंद्र सिंह, निदेशक

MINISTRY OF ENERGY

(Department of Petroleum)

ERRATUM

New Delhi, the 29th October, 1983

S.O. 4200 :—In the notification of Govt. of India, in the Ministry of Energy No. 120/6/20/83-Prod. dated 28-3-1983, under S.O. No. 1852 in the Gazette of Govt. of India, Part-II, Section 3, Sub-section (ii) dated 16-4-1982. Page: No. 1822.

READ			FOR		
State	District	Taluka	District	District	Taluka
Gujrat	Mehsana	Kadi	Gujarat	Mehsana	Kadi

[No. 12016/20/83-Prod]

RAJENDRA SINGH, Director.

(परमाणु ऊर्जा विभाग)

आदेश

नम्बर, 5 अक्टूबर, 1983

का.आं० 4201.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियमावली, 1965 के नियम 9 के उपनियम (2), नियम 12 की धारा (ख) तथा नियम 24 के उपनियम (I) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निदेश देते हैं कि भारत सरकार, परमाणु ऊर्जा विभाग के दिनांक 17 जुलाई, 1979 के सांख्यिक आदेश संख्या 2537, की अनुसूची में निम्नलिखित संशोधन किए जाएं, अर्थात् :—

(1) शीर्ष "भाग-I—सामान्य केन्द्रीय सेवा वर्ग 'ख'" के अन्तर्गत, क्रमसंख्या 16 तथा उससे सम्बद्ध प्रविष्टियों के बाद, निम्नलिखित क्रमसंख्या तथा प्रविष्टियां अन्तर्बिष्ट की जाएं, अर्थात् :—

1	2	3	4	5	6
"17. सामान्य सेवा संगठन, कलपाक्कम में पद	अपर सचिव/संयुक्त सचिव, परमाणु ऊर्जा विभाग	अपर सचिव/संयुक्त सचिव, परमाणु ऊर्जा विभाग	सभी	सचिव, परमाणु ऊर्जा विभाग	

(2) शीर्ष "भाग-II—सामान्य केन्द्रीय सेवा वर्ग 'ग'" के अन्तर्गत, अब से XVI तथा उससे सम्बद्ध प्रविष्टियों के बाद, निम्नलिखित सद तथा प्रविष्टियां अन्तर्बिष्ट की जाएं, अर्थात् :—

"XVII. सामान्य सेवा संगठन, कलपाक्कम में पद	निदेशक, सामान्य सेवा संगठन, कलपाक्कम	निदेशक, सामान्य सेवा संगठन, कलपाक्कम	सभी	अपर सचिव/संयुक्त सचिव, परमाणु ऊर्जा विभाग	
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(3) शीर्ष "भाग-III—सामान्य केन्द्रीय सेवा वर्ग 'घ'" के अन्तर्गत, अब से XVI तथा उससे सम्बद्ध प्रविष्टियों के बाद, निम्नलिखित सद तथा प्रविष्टियां अन्तर्बिष्ट की जाएं, अर्थात् :—

1	2	3	4	5	6
"XVII. सामान्य सेवा संगठन, कलपाक्कम में पद	प्रशासनिक अधिकारी III	प्रशासनिक अधिकारी III	सभी	निदेशक, सामान्य सेवा संगठन, कलपाक्कम	

[संख्या 2/2/82-सतर्कता]

राजीव अग्रवाल, अवर सचिव

**DEPARTMENT OF ATOMIC ENERGY
ORDER**

Bombay, the 5th October, 1983

S.O. 4201 :—In exercise of the powers conferred by sub-rule(2) of Rule 9, clause (b) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules 1965, the President hereby directs that the following amendments shall be made in the Schedules to the Government of India, Department of Atomic Energy, Order No. S.O. 2537, dated the 7th July 1979, namely, :—

(1) Under the heading "PART I—GENERAL CENTRAL SERVICE GROUP 'B' ", after serial number 16 and the entries relating thereto, the following S.No. and entries shall be inserted, namely :—

1	2	3	4	5	6
"17. Posts in the General Services Organisation Kalpakkam	Additional Secretary/Joint Secretary Department of Atomic Energy.	Additional Secretary/Joint Secretary Department of Atomic Energy.	All	Secretary, Deptt. of Atomic Energy "	

(2) Under the heading "PART II—GENERAL CENTRAL SERVICES GROUP 'C' " after item xvi and the entries relating thereto, the following items and entries shall be inserted, namely :—

1	2	3	4	5	6
"XVII Posts in the General Services Organisation, Kalpakkam	Director, General Services Organisation, Kalpakkam	Director, General Services Organisation, Kalpakkam	All	Additional Secretary/Joint Secretary Department of Atomic Energy".	

(3) Under the heading "PART III—GENERAL CENTRAL SERVICE, Group 'D'" after item xvi and the entries relating thereto, the following item and entries, shall be inserted, namely :—

1	2	3	4	5	6
"XVII Posts in the General Services Organisation, Kalpakkam	Administrative Officer-III General Service Organisation, Kalpakkam	Administrative Officer-III General Service Organisation, Kalpakkam	All	Director General Services Organisation, Kalpakkam	

[No. 2/2/82-Vig]

RAJIV AGARWAL, Under Secy.

शिक्षा तथा संस्कृति मंत्रालय

(शिक्षा विभाग)

आदेश

नई दिल्ली, 3 नवम्बर, 1983

का०आ० 4202—आरोक्षिल (आपातकालीन उपबन्ध) अधिनियम, 1980 (1980 का 59) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियाँ और केन्द्रीय सरकार के शिक्षा तथा संस्कृति मंत्रालय (शिक्षा विभाग) के आदेश सं० 8-5/80-नॉर्न नियम, दिनांक 14 नवम्बर, 1980 और पत्र सं० 43-24/81-आई०एन०सी० (आरोक्षिल) दिनांक 18 मई, 1983 के तम में केन्द्रीय सरकार हमाहाबाद, उच्च न्यायालय से अवकाश प्राप्त न्यायमूर्ति एल० पी० निगम की उक्त अधिनियम के प्रयोजन के लिए प्रशासक के रूप में नियुक्ति की अवधि 9 नवम्बर, 1984 तक बढ़ाती है।

[सं० का० 43-24/82-आई०एन०सी० (आरोक्षिल)]

एल० एम० गुज्राल, सहायक शिक्षा सलाहकार

MINISTRY OF EDUCATION AND CULTURE

(Department of Education)

ORDER

New Delhi, the 3rd November, 1983

S.O. 4202.—In exercise of the powers conferred by sub-section (i) of section 5 of the Auroville (Emergency Provisions) Act, 1980 (59 of 1980), and in continuation of the order of the Central Government in the Ministry of Education and Culture (Department of Education) No. F. 8-5/80-PN. I dated the 14th November, 1980 and No. F. 43-24/82-INC (Arov) dated the 18th May, 1983, the Central Government hereby extends the term of appointment of Justice I. P. Nigam, retired Judge of the Allahabad High Court, as the Administrator for the purpose of the said Act upto 9th November, 1984.

[No. F. 43-24/82-INC(Aur)/UU]

L. M. GUJRAL, Assistant Educational Adviser

निर्माण और आवास मंत्रालय

नई दिल्ली, 31 अक्टूबर, 1983

का०आ० 4203—यहाँ केन्द्रीय सरकार का दिल्ली की वृहद् योजना में सहा नीचे बताये गए क्षेत्रों के बारे में कतिपय संशोधन करने का प्रस्ताव है जिसे दिल्ली विकास अधिनियम, 1957 (1957 का 61वाँ) की धारा 44 के अन्तर्गत 25 सितम्बर, 1982 के नोटिस सं० 20(33)/

80-एम०पी० द्वारा उक्त नोटिस के 30 दिन के भीतर आपत्तियाँ/सुझाव मागने के लिए प्रकाशित किया गया था। जैसे कि उक्त अधिनियम की धारा 11ए की उपधारा (3) में अपेक्षित है।

और वहाँ उक्त संशोधन के संबंध में कोई आपत्तियाँ/सुझाव प्राप्त नहीं हुए।

जब वहाँ उक्त अधिनियम की धारा 11ए की उपधारा (2) में प्रवेश शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार जिस तारीख से यह अधिसूचना भारत के राजपत्र में प्रकाशित होगी, उस तारीख से दिल्ली की उक्त वृहद् योजना में निम्नलिखित संशोधन करती है, नामतः—

संशोधन :

(i) "मण्डोली गांव के समीप स्थित लगभग 40 हेक्टे० क्षेत्र, जिसके दक्षिण में मार्ग संख्या 63 (मार्गाधिकार 60.96 मीटर) उत्तर और पश्चिम में कृषि हरित क्षेत्र, गांव मण्डोली और पूर्व में उत्तर प्रवेश सामा है, का भूमि उपयोग "कृषि हरित पट्टी/ग्रामीण उपयोग" से बदलकर "सार्वजनिक एवं अर्द्ध सार्वजनिक सुविधाएँ" (जिला कारागार/पुलिस थाना) किया जाना प्रस्तावित है।"

(ii) "लगभग 40 हेक्टे० क्षेत्र, जो नरेला टाउनशिप के बाढ़ में दिल्ली से 27.10 कि०मी० से 28.10 कि०मी० के बीच में है और जिसके दक्षिण-पश्चिम में अम्बाला जाने वाली रेलवे लाईन, उत्तर, दक्षिण और पूर्व की ओर कृषि हरित क्षेत्र है, का भूमि उपयोग "कृषि हरित पट्टी" से बदलकर "सार्वजनिक एवं अर्द्ध सार्वजनिक सुविधाएँ" (जिला कारागार/पुलिस थाना) किया जाना प्रस्तावित है।"

[सं० का०-13011/23/80-ई०ई० II ए]

का० का० सक्सेना, डेस्क अधिकारी

MINISTRY OF WORKS AND HOUSING

New Delhi, the 31st October, 1983

S.O. 4203.—Whereas certain modifications, which the Central Government proposes to make in the Master Plan for Delhi regarding the areas mentioned hereunder, were published with Notice No. F. 20 (33)/80-MP dated 25th Sept., 1982 in accordance with the provisions of section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions, as required by sub-section (3) of section 11-A of the said Act within thirty days from the date of the said notice ;

And whereas no objections and suggestions have been received with regard to the said modifications ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect from the date of publication of this modification in Gazette of India, namely :—

MODIFICATIONS :

(i) "Land use of an area, measuring about 40 hec. located near Village Mandoli and bounded by Road No. 63 (60.96 M. right of way) in the South, agricultural Green Village Mandoli towards North and West and U.P. Border towards East, is changed from "Agricultural Green Belt/Rural use" to "Public and Semi-public Facilities" (District Jail/Police Station).

(ii) "Land use of an area, measuring 40 hec. (98.842 acrs) located beyond Narela township between 27.10 km. and 28.10 km. from Delhi and bounded by Railway line to Ambala in the south-west and agricultural green area towards north, south and east, is changed from "Agricultural Green Belt" to "Public and Semi-Public Facilities" (Distt. Jail/Police Station).

[No K-13011/23/80 DDJA/

K. K. SAXENA, Desk Officer

नई दिल्ली, 31 अक्टूबर, 1983

का० आ० 4204.—जैसे निम्नलिखित और शर्तों के बारे में जिन पर नीचे की सारणी में विनिर्दिष्ट भूमि, दिल्ली विकास प्राधिकरण द्वारा ली जाएगी केन्द्रीय सरकार और प्राधिकरण के बीच करार हो गया है;

अतः अथ केन्द्रीय सरकार दिल्ली विकास प्राधिकरण अधिनियम, 1957 (1957 का 61) की धारा 22 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नीचे की सारणी में विनिर्दिष्ट भूमि को तुरन्त प्रभाव से किंगज्वे कैम्प का बड़े-बड़े प्लॉटों में विकास करके इन क्षेत्रों में विद्यमान गंदी बस्तियों का सुधार करने के लिए किंगज्वे कैम्प के एकिकृत पुनर्विकास की स्कीम का कार्यान्वयन करने के प्रयोजन के लिए और इस क्षेत्र में ऐसे वास्तुगृह धारकों को आबंटन करने के लिए जिनकी डा० मुकर्शी नगर में आनुकूलिक आबंटन नहीं किए गए हैं और अभ्यन्तर बाल में विद्यमान पट्टों का प्रणामन करने के लिए और ऐसी कार्रवाई करने के लिए जो उक्त प्रयोजन को पूरा करने के लिए अपेक्षित है इस शर्त के अधीन रहते हुए दिल्ली विकास प्राधिकरण के व्यवसायीन कर्ता हैं कि दिल्ली विकास प्राधिकरण जब केन्द्रीय सरकार द्वारा ऐसा करने की अपेक्षा की जाए तब तक भूमि को या उसके किसी ऐसे भाग को जिसकी इस प्रकार अपेक्षा की जाए केन्द्रीय सरकार के व्यवसायीन फिर से करेगा।

सारणी

क्रम संख्या	अवस्थान	क्षेत्र	सीमा
1	2	3	4
1.	आउट्राम लाइन का क्षेत्र	59.763 एकड़ या 24.185 हेक्टर (मापमान के आधार पर)	उत्तर : प्राइवेट लेन दक्षिण : माल रोड पूर्व : कोरोनेशन रोड पश्चिम : रोड टी बी अस्पताल
2.	हडसन लाइन का क्षेत्र	44.862 एकड़ या 18.155 हेक्टर (मापमान के आधार पर)	उत्तर : माल रोड दक्षिण : किंगज्वे रोड और विजयनगर पूर्व : नजफगढ़ नाला पश्चिम : रोड और एडवर्ड लाइन

[सं० जे०-20019/2/81-एन०डी०]

एन०एम० मैनेजिंग, संयुक्त सचिव

New Delhi, the 31st October, 1983

S.O. 4204.—Whereas the terms and conditions upon which lands specified in the Table below will be taken over by the Delhi Development Authority have been agreed upon between the Central Government and the Authority ;

Now therefore in exercise of the powers conferred by sub-section (1) of section 22 of the Delhi Development Act, 1957 (61 of 1957), the Central Government hereby places with immediate effect the lands specified in the table below at the disposal of the Delhi Development Authority for the purpose of implementing the scheme of integrated redevelopment of Kingsway Camp to improve the slum conditions prevailing in these areas by developing into bigger plots and for allotment to the tenement holders in the area who have not been provided with alternative allotment in Dr. Mukherjee Nagar and for administering, meanwhile the existing leases and for taking such steps as may be required to serve the said purpose subject to the condition that the Delhi Development Authority shall, when required by the Central Government so to do, replace the said lands or any portion thereof as may be so required at the disposal of the Central Government.

TABLE

Sr. No.	Location	Area	Boundary
1	2	3	4
1.	Area of Outram Lines Kingsway Camp.	59.763 acres or 24.185 hectares (by scale).	North : Private Lane South : Mall Road East : Coronation Road. West : Road T.B. Hospital
2.	Area of Hudson Line Kingsway Camp.	44.862 acres or 18.155 hectares (by scale).	North : Mall Road. South : Kingsway Road and Vijay Nagar. East : Najafgarh Nallah West : Road and Edward Line.

[No. J-20019/2/81-LD]

L. M. MENEZES, Jr. Secy.

श्रम तथा पुनर्वासि मंत्रालय

(श्रम विभाग)

नई दिल्ली, 1 नवम्बर, 1983

का० आ० 4205.—खान अधिनियम 1952 (1952 का 35) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वासि मंत्रालय की अधिसूचना संख्या मा०का० 1145 दिनांक 1 फरवरी 1983 का अतिरिक्त करने हुए केन्द्रीय सरकार श्री एच.एस. अहुजा को उन सभी क्षेत्रों में जिन पर उक्त अधिनियम लागू होता है दिनांक 1 नवम्बर 1983 से मुख्य खान निरीक्षक नियुक्त करते हैं।

[सं० ए-32012/1/83-खान-1]

जे० के जैन, अवर सचिव

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour)

New Delhi, the 1st November, 1983

S.O. 4205.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), and in supersession of notification of the Government of India in the Ministry of Labour and Rehabilitation S.O. No. 1145, dated the 1st February, 1983, the Central Government hereby appoints Shri H.S. Ahuja to be the Chief Inspector of Mines with effect from the 1st November, 1983 for all the territories to which the said Act extends.

[F. No. A-32012/1/83-MI]

J. K. JAIN, Under Secy.

आदेश

नई दिल्ली, 7 नवम्बर, 1983

का० आ० 4206.—भारत सरकार के तत्कालीन श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० आ० 1571 दिनांक 31 मई 1963 द्वारा गठित श्रम न्यायालय भुवनेश्वर के पीठासीन अधिकारी का पद रिक्त हुआ है।

अतः एव औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री डी.एल.एस. के. पटनायक को पूर्वोक्त गठित श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करता है।

[सं० एम०-11020/11/80-डी-ए]

ORDER

New Delhi, the 7th November, 1983

S.O. 4206.—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Labour Court with Headquarters at Bhubaneswar constituted by the notification of the Government of India in the then Ministry of Labour and Employment No. S.O. 1571 dated the 31st May, 1963 :

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri D.L.C.K. Patnaik as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S. 11020/11/80-D. I(A)]

का०आ० 4207.—केन्द्रीय सरकार औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33ग की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारत सरकार, श्रम रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का०आ० 4650 तारीख 19 दिसम्बर, 1967 में निम्नलिखित और संशोधन करती है अर्थात् :—

उक्त अधिसूचना की अनुबद्ध तालिका में क्रमांक 2 और 2क तथा उनसे संबंधित प्रविष्टियों में निम्नलिखित क्रमांक और प्रविष्टियां रखी जाएगी अर्थात् :—

“2. भारत सरकार के तत्कालीन जिला बम्बई शहर तथा जिला बम्बई श्रम और रोजगार मंत्रालय की उप शहर उद्योग केन्द्रीय रेलवे, एयर इंडिया, इंडियन एयर लाइंस, बैंक, बीमा और महाराष्ट्र राज्य में अधिसूचना संख्या का०आ० 1698 तारीख 22 मई 1965 द्वारा उक्त अधिनियम की धारा 7 के अर्थात् जिला थाना पूर्वी खानदेश औरंगाबाद, अहमदनगर भंडार, (तारेड परभनी तथा गोवा, दमन और दीव) में राज्य क्षेत्र में दमन और दीव।

2क. भारत सरकार श्रम रोजगार और पुनर्वास रोजगार मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या 1970 तारीख 28 मई 1968 द्वारा उक्त अधिनियम की धारा 7 के अर्थात् गठित श्रम न्यायालय संख्या 2 बम्बई।

जिला बम्बई शहर तथा जिला बम्बई उप शहर उद्योग पश्चिमी रेलवे पनन और मोडिया, नौसेनिक गोर्दा-बाड़ा, रक्षा प्रविष्टान, डाक और तार टेलीफोन, भारतीय खाद्य निगम, भारत सरकार मिंट तथा सभी अन्य उद्योग जो न्यायालय संख्या 7 को नहीं गोप्य हैं।

टिप्पणी: भारत के राजपत्र के तारीख 30-12-1967 के भाग दो, खण्ड 3 उपखण्ड (ii) में अधिसूचना संख्या 4650 तारीख 19-12-1967 द्वारा प्रकाशित मुख्य अधिसूचना में तदनन्तर निम्नलिखित द्वारा संशोधन किया गया :—

- (1) अधिसूचना संख्या का०आ० 1175 तारीख 20-3-1968, 30-3-1968 का राजपत्र।
- (2) अधिसूचना संख्या का०आ० 668 तारीख 11-2-1969, 22-2-1969 का राजपत्र।
- (3) अधिसूचना संख्या का०आ० 1894 तारीख 9-5-1969, 17-5-1969 का राजपत्र।

- (4) अधिसूचना संख्या का०आ० 1768, तारीख 30-4-1968, 10-5-1969 का राजपत्र।
- (5) अधिसूचना संख्या का०आ० 2796 तारीख 3-7-1971, 2-7-1971 का राजपत्र।
- (6) अधिसूचना संख्या का०आ० 3810, तारीख 23-9-1972, 4-11-1972 का राजपत्र।
- (7) अधिसूचना संख्या का०आ० 4521 तारीख 26-9-1975, 18-10-1980 का राजपत्र।
- (8) अधिसूचना संख्या का०आ० 2914 तारीख 13-10-1980, 25-10-1980 का राजपत्र।
- (9) अधिसूचना संख्या का०आ० 45 तारीख 19-12-1981, 1-1-1982 का राजपत्र।
- (10) अधिसूचना संख्या का०आ० 1613 तारीख 16-4-1982, 1-5-1982 का राजपत्र।
- (11) अधिसूचना संख्या का०आ० 4014 तारीख 21-11-1981, 4-12-1981 का राजपत्र।

[सं० एम०-11020/3/83-डी-ए (ए)]

एम० एल० एम० अथर, अवर सचिव

S.O.4207.—In exercise of the powers conferred by sub-section (2) of section 33C of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment No. S.O. 4650 dated the 19th December 1967, namely :—

In the Table annexed to the said notification, for serial No. 2 and 2A and the entries relating thereto, the following Serial No. and entries shall be substituted, namely :—

“2 Labour Court, Bombay Industries from the Bombay constituted under Section 7 City District and the Bombay of the said Act, by the notification of the Government of Railway, Air India, Indian Air India in the Late Ministry lines, Banks, Insurance. of Labour Employment No. S.O.1698, dated the 22nd May 1965.

And the districts of Thane, East Khandesh, Aurangabad, Ahmednagar, Bhil, Nanded, Parbhani in the State of Maharashtra and Daman and Diu in the Union Territory of Goa Daman and Diu.

2A. Labour Court No. 2, Industries from the Bombay Bombay constituted under City District and the Bombay Section 7 of the said Act, by Sub-urban District : the notification of the Western Railway, Ports and Government of India in Docks, Naval Dockyard. Ministry of Labour, Employment and Rehabilitation Defence Establishments, Post and Telegraph, Telephones, Department of Labour and Food Corporation of India Employment (No. S.O. Government of India Mint 1970, dated the 28th May, and all other Industries not assigned to Court No. 1

And the districts of Ratnagiri, Sindhudurg, Kolhapur, Sangli, Satara, Sholapur, Osmanabad, Raigad, Pune in the State of Maharashtra and Goa in the Union Territory of Goa, Daman and Diu."

Note : Principal Notification published vide S.O. 4650 dated 19-12-67, Part II, Section 3, sub-section (ii) of the Gazette of India dated 30-12-1967 subsequently amended by :

- (i) Notification No. S.O. 1175 dated 20-3-68, Gazette of 30-3-68.
- (ii) Notification No. S.O. 668 dated 11-2-69, Gazette of 22-2-69.
- (iii) Notification No. S.O. 1894 dated 9-5-69, Gazette of 17-5-69.
- (iv) Notification No. S.O. 1768 dated 30-4-69, Gazette of 10-5-79.
- (v) Notification No. S.O. 2796 dated 3-7-71, Gazette of 24-7-71.
- (vi) Notification No. S.O. 3810 dated 23-9-72, Gazette of 4-11-72.
- (vii) Notification No. S.O. 4521 dated 26-9-75, Gazette of 18-10-80.
- (viii) Notification No. S.O. 2914 dated 13-10-80, Gazette of 25-10-80.
- (ix) Notification No. S.O. 45 dated 19-12-81, Gazette of 2-1-82.
- (x) Notification No. S.O. 1633 dated 16-4-82, Gazette of 1-5-82.
- (xi) Notification No. S.O. 4014 dated 22-11-82, Gazette of 4-12-82.

[No. S-11020/3/83-D.I.(A)]

S.H.S. IYER, Under Secy.

नई दिल्ली, 5 नवम्बर, 1983

कां०आ० 4208 -- केन्द्रीय सरकार, मजदूरी संवाध अधिनियम, 1936 (1936 का 4) की धारा 7 की उपधारा (2) के खंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए "श्रीलंका में भारतीय उद्भव के नागरिकों के लिए सहायता कोष" को उक्त अधिनियम के उक्त खंड के प्रयोजन के लिए नियोजित व्यक्तियों की मजदूरी में कटौती करने के लिए विनिर्दिष्ट करती है।

[सं० 531012/6/83-WC(PW)]

बिशम्भर नाथ, अवर सचिव

New Delhi, the 5th November, 1983

S.O. 4208.—In exercise of the powers conferred under clause (p) of sub-section (2) of section 7 of the Payment of Wages Act 1936 (4 of 1936), the Central Government hereby specifies the "Relief Fund for Indian Origin Citizens in Sri Lanka" for purpose of that clause of the said Act for effecting deductions from wages of the employed persons.

[No. 531012/6/83-WC(PW)]

BISHAMBHAR NATH, Under Secy.

आदेश

नई दिल्ली, 31 अक्टूबर, 1983

कां०आ० 4209 - केन्द्रीय सरकार की यह राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय खाद्य निगम निजामाबाद के प्रबन्धन में संबंधित औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच निर्यात है:

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करना वांछनीय समझती है;

अतः अब केन्द्रीय सरकार औद्योगिक विवाद अधिनियम 1947 (1917 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एक औद्योगिक अधिकरण गठित करती है जिसके पीठामें अधिकारी श्री एम० श्रीनिवासायाह होंगे जिसका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णय के लिए निर्देशित करती है।

अनुसूची

"क्या भारतीय खाद्य निगम निजामाबाद द्वारा श्री शेख हब्बीब भूतपूर्व चीफ़-द्वारा भारतीय खाद्य निगम, निजामाबाद की 1-10-1981 में सेवा समाप्त करना न्यायचित है यदि नहीं तो कर्मकार किस अनुपात का हकदार है?"

[सं० एल-42012/60/82-टी-1 (बी)/4-(बी)]

ORDER

New Delhi, the 31st October, 1983

S.O. 4209.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Food Corporation of India, Nizamabad and their workman in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. Srinivasa Rao, shall be the Presiding Officer, with headquarters at Hyderabad, and refers the said dispute for adjudication to the Said Tribunal.

SCHEDULE

"Whether the management of Food Corporation of India, Nizamabad is justified in terminating the services of Shri Shaik Habbeeb, Ex. Watchman, FCI, Nizamabad w.e.f. 1-10-1981? If not to what relief the workman is entitled to?"

[No. I-42012(60)/82-D. II. B/IV. B]

New Delhi, the 2nd November, 1983

S.O. 4210.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Bankola Colliery and their workmen, which was received by the Central Government on the 27th October, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 10 of 1983

PARTIES :

Employers in relation to the management of Bankola Colliery.

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES :

On behalf of Employers—Mr. S. K. Mukherjee, Deputy Personnel Manager,

On behalf of Workmen—Absent.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(131)/82-D, IV(B) dated 14th January, 1983 the Government of India, Ministry of Labour and Rehabilitation referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Bankola Colliery, Post Office Ukhra, District Burdwan, in striking off the name of Shri Jehala Dusad s/o Shri Somar Dusad, General Mazdoor from their roll, was justified? If not, to what relief the workman is entitled?"

2. When the case was taken up for hearing today Sri S. K. Mukherjee Deputy Personnel Manager appeared on behalf of the Employers and submitted a petition praying for acceptance of the settlement arrived at between the parties and pass an award on that basis. I have gone through the settlement and I am satisfied that the terms are fair and reasonable and I accept the same.

In the result an Award is passed in terms of the settlement which will form part of this Award as Annexure 'A'.

M. P. SINGH, Presiding Officer
[No. L. 19012(131)/82-D.IV(B)]

Dated, Calcutta.

The 11th October, 1983.

ANNEXURE 'A'

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 10 of 1983

Employers in relation to the management of Bankola Colliery of M/s. Eastern Coalfields Limited.

AND

Their workmen.

Prayer for accepting the settlement in the above reference.

1. That the hearing of the above case is fixed for hearing on 11th October, 1983 before the Hon'ble Tribunal.
2. That the management and the workmen represented by the Union settled the above case mutually on 24th September, 1983.
3. That 6 (six) copies of the settlement duly signed by the parties is annexed herewith.
4. It is prayed that the Hon'ble Tribunal may be pleased to pass an Award in the light of the settlement arrived at between the parties.

Annexure-6 (six) copies of the settlement.

For and on behalf of the Management of
Bankola Colliery of Eastern Coalfield Limited,
S. K. MUKHERJEE, Dy. Personnel Manager

MEMORANDUM OF SETTLEMENT

PARTIES :

On behalf of the Management—Shri N. Sar, General Manager, Bankola Area.

On behalf of the Union—Shri Gopal Mondal, Secy. CMU (INTUC).

Reg.—Shri Jehala Dusadh, S/o Samsar Dusadh, Casual/Badli drill Mazdoor, Village Langni, P. S. Jamui, District Monghyr.

Short recital of the case.—The above was a casual/badli Drill Mazdoor at Bankola Colliery and was by the erstwhile owners on 1st July, 1972. In December 1974 he deserted the colliery and remained absent without any information and

continued to remain absent until 24th December, 1981 and represented through the Union for employment.

Since Shri Jehala Dusadh was a Badli/casual workman, his name was struck off from the rolls of Bankola Colliery.

The Union represented that the concerned workman was ill and he was not the opportunity for his defence. His name was struck off without any enquiry. Thereafter the matter was taken up in the conciliation which had ended in failure and is now pending before the Central Government Industrial Tribunal, Calcutta under Reference 10 of 1983.

After prolonged discussion regarding the merits and demerits of the case and with a view to keeping better industrial relations, the parties agreed to resolve the dispute on the following terms and conditions.

Terms and conditions

- (1) That Shri Jehala Dusad, Casual/Badli Drill mazdoor who was absenting since 1975 shall be taken on Badli/Casual rolls at Bankola Colliery wherefrom his name was struck off, with immediate effect.
- (2) That he will not be entitled to any wages, bonus, and other benefits for the period of his absence.
- (3) That the workman shall report for his duty to the Agent, Bankola Colliery within 7 days from the date of this settlement.
- (4) Both the parties having agreed to the above, signed this settlement as a token of full and final settlement of the dispute.

For and on behalf of the Management.

Sd/-

(N. Sar)
General Manager,
Bankola Area.

Dated—day of September, 1983.

WITNESS :

- (1) (Shri S. K. Acharya)

Personnel Manager, Bankola Area.

- (2) (S. K. Mukherjee)

Dy. Personnel Manager, Bankola Area.

For and on behalf of the Union.

Sd/-

- (1) (Gopal Mondal)
Secretary, C.M.U. (INTUC)
Sd/-

- (2) (Shri Jehala Dusadh)
the workman.
L.T.I. of Shri Jehala Dusadh
Identifying:
Identified by Shri M. R. Ghosal
L.T.I. of Jehala Dusadh
Identified by Shri M. R. Ghosal
Clerk, Bankola Area.

S.O. 4211.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Sodepur Colliery of Sodepur Sub-Area, Eastern Coalfields Ltd., Post Office Disbargarh, District Burdwan and their workmen, which was received by the Central Government on the 28th October, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA

Reference No. 3 of 1980

PARTIES :

Employers in relation to the management of Sodepur Colliery of Sodepur Sub-Area, Eastern Coalfields Limited

AND

Their Workmen

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES :

On behalf of Employers—Mr. B. N. Lala, Advocate,
with Mr. P. N. Goswami, Sr. Personnel Officer.

On behalf of Workman—Mr. B. B. Pandey, Advocate.

STATE : West Bengal.

INDUSTRY : Coal.

AWARD

By Order No. L-19012(46)/79-D. IV(B) dated 11th January, 1980 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Sodepur Colliery of Sodepur Sub-Area, Eastern Coalfields Limited, Post Office Dishergarh, District Burdwan in not regularising Shri Sitaram Singh as Mining Sirdar with effect from 19th January, 1976 is justified? If not, to what relief is the concerned workman entitled?"

2. Sri B. N. Lala, Advocate appearing for the management has raised a preliminary point that Sitaram Singh, a Mining Sirdar is not a workman within the meaning of Section 2(s) of the Industrial Disputes Act, 1947 and hence there is no industrial dispute to be decided by this tribunal. So far as this Tribunal is concerned, it has been decided twice that a Mining Sirdar is not a workman within the meaning of Section 2(s) of the Act : Vide Award in Reference Nos. 13 and 17 of 1976 and Application Nos. I.C. 27 of 1975 LC 2 and 27 of 1976 and in Application No. LC 30 of 1982. Sri F. K. Moidu, the then Presiding Officer clearly held that a Mining Sirdar works in a supervisory capacity and when he draws more than Rs. 500 as salary he cannot be a workman. In the present case also Sitaram Singh admittedly draws more than Rs. 500 as his salary. He is also a Mining Sirdar. In his evidence in cross-examination he has admitted that all the duties which are mentioned in Coal Mines Regulation No. 44 are done by him as Mining Sirdar. There is thus no doubt that he is not a workman in the capacity of being a Mining Sirdar. But Sri B. B. Pandey, Advocate appearing for the concerned workman Sitaram Singh, has argued vehemently that Sitaram Singh is not only a Mining Sirdar but he is a Mining Sirdar-cum-Shot-firer. He submits that as a shot-firer he has to do a lot of manual work and, therefore, he should be held to be a workman within the meaning of Section 2(s) of the Industrial Disputes Act, 1947. He has relied on the following evidence of Sitaram Singh (WW 1) for the purpose of showing as to what are the duties of a Mining Sirdar :

"I am to work as Mining Sirdar-cum-Shot Firer i.e. as Mining Sirdar I am to work as Shot-firer also. I am all along doing the work of shot-firer. So far as the Shot firing work is concerned, I have first to go to the Magazine Room to collect magazine; thereon putting signature in the Register I am to take explosives; the explosives are granted by number and I have to take generally about 50 detonators in a shift. Then I am to go to take the cap lamp and Safety-lamp and then I go to underground. In the underground as a Shot-firer I am to check the place of firing i.e. I am to show the drilling place where the hole is to be dug. Then stemming is to be done by me in the hole. Then I am to join the cable. Then I am to fire the shots. After that I am to make a fresh check i.e. to see how far the firing has been done properly. I am to work for 8 hours in a shift. There are three shifts in my colliery. At times it takes about 8 hours for the shot-firing only but on the average it is not less than 6 hours for which I am to do manual work. As a Mining Sirdar I am to check the roof by stick. Then I am to check the gas personally. Mostly these are my duties and these are done by my own hand."

In cross-examination the witness has said that he did the work of wire-connecting i.e. connecting the wire with detonator which was put in the explosives and the explosives was to be put into the hole. He further said that shot firing usually takes about 6 hours. This is not accepted by the

management. According to the management a shot firing takes about one hour only. The management has also given details of the work of shot firing. The evidence of MW-1, A. S. Mahapatra runs as :

"...He is a Mining Sirdar but sometimes he is required to work as Shot-firer. Mining Sirdars are required to work as shot-firers at times. The job descriptions of Shot-firers are also given in Regulation 45. The day he goes for shot-firing he is not entrusted with any other job and he works on that day as per Coal Mines Regulation 1957. On the days when he is required to work as shot-firer he is given so many assistants, named Explosive carriers. An explosive carrier is an unskilled mazdoor who carries explosives in a locked canister and accompanies the shot-firer and generally assists the firer in his duties. This is noted in National Coal Wage Agreement No. 1. In Coal Mines Regulation clause 45(h) the job description and duties and responsibilities of shot firers are noted. A shot-firer first reports to the Attendance room and then he takes the explosives indent form from the Assistant Manager or Overman and then he goes to Magazine with his assistants to bring explosives and locked canisters. The magazine clerk issues him explosives and the explosives are carried by his assistants when he takes the can lamp and some other instruments necessary for shot firing which are carried by his assistants along with the shot firing apparatus. He goes down the mine and reaches the districts where coal is to be prepared. There is reserve station in the district. His assistant brings the explosives to the Reserve station but the key remains with the shot firers. Then he goes to the place where shot firing is needed and makes necessary inspection with the help of flame safety lamp and also with a small stick as required for checking the roof. When the face is cut by coal cutting machine he gives direction to the driller for drilling hole. When the holes are drilled and place is found safe for shot firing he supervises the job of stemming the explosives in the hole and charging. All these jobs are done under his supervision by sufficient number of assistants given to him. Before firing one end of the firing cable is connected to the detonator. In a hole first explosives are put in, one detonator is inserted in one explosive for prime cartridges and it is also put into the hole and then the detonator has some long thin wire or leads. After this has been done the rest of hole is stemmed by small clay cartridges. All these jobs are done by his assistants under his supervision. It is also mentioned in clause 45(d) of the Regulation. He also remains present during this operation as laid down in clause 45(e). He connects the lead of the detonator with shot firing cable. Connecting the shot fire with detonator lead is done by the Shot-firer. This is stated in clause 169(4)(c) and (f) of the Regulation. The other end of the wire is connected with the exploder which is kept at a distance by the shot-firer. The exploder has a small key which is kept with the shot-firer. These two jobs i.e. connecting the shot-firing cable with detonator lead and the other end of the shot firing cable with exploder and turning the firing key are only manual job which is very much negligible. All other jobs are supervised by him. The shot-firer use to remove all persons from the vicinity of the firing place to a safe distance by posting guards and also see that the place is safe and no inflammable gas is there. After the shot-firing is over, if there is no further job of shot-firing he takes up the job of Mining sirdar. A small stick about 3 feet long is provided to all supervising staff including Manager. When there is doubt the roof is tested with that small stick. This roof testing is done by the Manager, Overman, Mining Sirdar and Shot-firer. If the roof is found bad then he makes arrangement for supporting the roof. A small flame safety lamp is carried by all supervising staff of the mine and he inspects the working places with the help of the lamp. Whenever there is accumulation of inflammable gas in the working places it is indicated by a cap in the

flame lamp. What I have stated the workman has no other manual work to do. He only does the job of supervision. On the days he is required to do shot-firing he does the small manual work I have spoken of. Section 37 of the Mining Act makes some provision for supervisory staff. Rule 46 of the Mines Rules, 1956 also makes such provision."

3. Having considered the aforesaid evidence of the two witnesses I am of the opinion that shot-firing is not the main and principal duty of Sitaram Singh. His principal duty is in fact that of a Mining Sirdar. Sitaram Singh has got Mining Sirdarship certificate. MW-1 A. S. Mahapatra has said in his cross-examination that it is not necessary that Mining Sirdar should obtain shot-firing certificate. He has clearly said that a person other than Mining Sirdar is required to obtain a shot-firer's certificate if he is required to do shot-firing. It is true that Sitaram Singh also does the work of shot-firing when required but for that reason alone he cannot be called a workman within the meaning of Section 2(s) of the Industrial Disputes Act. In *Ananda Bazar Patrika (Private) Limited vs. Workmen*, 1969 II LLJ 60 the Supreme Court has said:

"The question whether a person is employed in a supervisory capacity or on clerical work in our opinion depends upon whether the main and principal duties carried out by him are those of supervisory character or of a nature carried out by a clerk. If a person is mainly doing supervisory work but incidentally or for a fraction of the time also does some clerical work it would have to be held that he is employed in supervisory capacity and conversely if the main work done is of a clerical nature the mere fact that some supervisory duties are also carried out incidentally or as a small fraction of work done by him will not convert his employment as a clerk into one in supervisory capacity."

This principle also found support from the decision of the Supreme Court in *South Indian Bank Limited vs. VAR Chacko*, 1964(5) Supreme Court Reporter 625 and in *Management of Messrs May & Baker (India) Limited vs. Their workmen* AIR 1967 SC 678. In a later decision reported in *Burmah Shell Oil Storage & Distribution Company of India Ltd. and the Burmah Shell Management Staff Association and Others*, 1970 II LLJ, 590, it was pointed out:

"Frequently, however, an employee is required to do more than one kind of work. He may be doing manual work as well as supervisory work, or he may be doing clerical work as well as supervisory. He may be doing technical work as well as supervisory work. In such cases, it would be necessary to determine under which classification he will fall for the purpose of finding out whether he does not go out of the definition of 'workman' under the exceptions. The principle is now well-settled that for this purpose, a workman must be held to be employed to do that work which is the work he is required to do, even though he may be incidentally doing other types of work."

In view of the principles laid down in the above Supreme Court cases it has to be held that merely because some work other than his principal duty has to be done by an employee he cannot be called a workman. It is main and principal duty done by him which will determine his status. As already stated Sitaram Singh is essentially a Mining Sirdar and admittedly he does all the duties which are required to be done by a Mining Sirdar under the Coal Mines Regulations.

4. In this view of the matter I hold that he (Sitaram Singh) is not a workman within the meaning of Section 2(s) of the Act. Hence there is no industrial dispute and

the reference is incompetent. The preliminary point is thus allowed.

Dated, Calcutta,

The 26th October, 1983.

M. P. SINGH, Presiding Officer
[No. L. 19012(46)/79-D. IV(B)/Vol II]
A. K. SAHAMANDAL, Desk Officer

New Delhi, the 2nd November, 1983

S.O. 4212.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was received by the Central Government on the 23rd October, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 93 of 1980

PARTIES :

Employers in relation to the management of Calcutta Port Trust, Calcutta

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh, Presiding Officer.

APPEARANCES :

On behalf of Employers—Mr. D. K. Mukherjee, Industrial Relations Officer,

On behalf of Workman—Mr. Asgar Ali, Vice-President of the Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

By Order No. L-32012(20)/80-D.IV(A) dated 15 November, 1980 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication:—

"Whether the management in relation to the Calcutta Port Trust, Calcutta are justified in making recovery of House Rent allowance and in not providing with effect from 1st January, 1975 rent-free quarters to Shri Satya Ranjan Dev, Petrol Pump Attendant, Central Transport Section of Chief Mechanical Engineer's Department, keeping in view the nature of duties performed by him? If not, to what relief is the concerned workman entitled?"

2. Sri S. R. Dey, the Petrol Pump Attendant in the Central Transport Section of Chief Mechanical Engineer's Department was appointed as office peon on 26-6-57. He was promoted to the post of Petrol Pump Attendant w.e.f. 9-3-1970.

3. The grievance of S. R. Dey is (i) that rent-free quarter was not provided to him w.e.f. 1 January, 1974 and (ii) that a rent of Rs. 15/- per month is being illegally recovered by the Calcutta Port Trust from him w.e.f. 1 January, 1974 and hence the rent already recovered is to be refunded to him. It is an admitted fact that he was enjoying rent-free quarters upto 31 December, 1973. He was however a Class IV employee and all class IV employees were enjoying rent-free quarters upto December 1973. The management made the quarter as rent payable w.e.f. 1 January, 1977 as per recommendation of the Wage Revision Committee of January, 1977 which was accepted by the Central Government on 14-7-1977 and 17th August, 1977 by publishing it in the gazette and also because of the subsequent agreement dated 10-12-77 (Ext. M-2) as regards the rate of rent between the management of Calcutta Port Trust on one side and Calcutta Port Shramik Union National Union of Waterfront Workers, Calcutta Port Trust Shramik Union and the Calcutta Port Trust Workers Union on the other before the Regional Labour Commissioner (Central), Calcutta. The recommendations of the Wage Revision Committee was implemented w.e.f. 1 January 1974 and hence class IV employees were

required to pay house rent. Sri D. K. Mukherjee appearing for the management has relied upon these materials.

4. In my opinion, the grievance of S. R. Dey is not genuine. It is true that motor vehicles of the Central Transport Section move intermittently without any fixed period all the 24 hours and that petrol has to be supplied to those vehicles when they require. It is to be noticed however that the duty hours of S. R. Dey at present are only from 6 A.M. to 4.30 P.M. Previously it was 7 A.M. to 3.30 P.M. Thereafter he is free. 100 litres of petrol are kept at the Petrol Pump office to enable the duty clerk to meet the occasional exigencies at the hours when the pump is closed. Sri Asgar Ali appearing for the Union however argued that S. R. Dey has to remain in his quarter all the time because he has to supply the petrol even at night. He submits that his duties at the Petrol Pump are so heavy that there should have been three shifts (each of 8 hours), but the management maintains only single shift with only one set of men, viz., a clerk and a petrol pump attendant. He pointed out that P. Ghosh was the Lower Division clerk and S. R. Dey was the Petrol Pump Attendant working together at the Petrol Pump and this was being done by the management for keeping the expenses at the minimum. He submits that the said two persons work together and that the one cannot work without the other. He argued that even after the shift hour S. R. Dey could be called at any time for exigencies of work. He has referred to the deposition of WW-1 S. R. Dey who has said in his evidence that Ambulance, Doctor's car, Fire Brigade and also Port Pilot cars work for 24 hours and that lorries also are sent out for night duty, that there are also cars for attending special duties when officers are coming from out-station or for taking them to different places. As regards his own duty WW-1 S. R. Dey says :

"....At present it is from 9 a.m. to 4.30 p.m. I can be called by the management at any time even during night if required to perform duty which I do during my normal duty hours. There is one POLD clerk who is working with me during my duty hours. I am to remain ready all the hours of day and night to perform duty if required by the management. We two i.e. I myself and the POLD clerk are there for the supply of petrol."

MW-1 A. C. Banerjee, the Store clerk, has also spoken about the duty hours of Petrol Pump Attendant in the following words :

"....The duties of Petrol Pump Attendant is to issue petrol from the pump by manually handling of the pipe the pump is operated electrically but he is to pour the petrol inside the tank by handling the pump, he is to check up Engine oil and issue the same also. In addition to this he is to issue diesel oil also from the cans. There is an impress amount of 100 litres, 10 litres in each can, for use when the pump is closed. The petrol pump attendant works in single shift. There are various types of duties from operation point of view, but in the petrol pump it is always running in single shift i.e. for 8 hours from 0700 hrs. to 15.30 hours. There is no other shift within 24 hours. There is a shift from 6 to 2, from 2 to 10 and from 10 to 06 hours in operational side, but not in the petrol pump. The 100 litres of petrol are being stored by the petrol pump attendant within his duty hours.....I have brought the Master Roll Register and Overtime Register from which it will be evident that his duty hours is from 0700 hours to 15.30 hrs. and beyond that on an average he used to work 50 to 60 hours a month for continuous duty beyond 15.30 hours. This is register No. G-85 Master Roll for the period 1-8-82 to 28-2-83 (marked Ext. M-3). I have flagged and marked with red pencils the relevant entries regarding Satva Ranjan Dev in this register. As per this register Sri Dey was never called to do duty at night during the period mentioned in this register. The management can call Mr. Dey for duty at night at any time. The management may call any staff residing in the quarter due to exigencies

of work and for this they are provided with quarters."

5. On the basis of the above Sri Asgar Ali contends that the duties of S. R. Dey are onerous and so he is entitled to rent free quarter due to exigencies of work. I feel difficulty in accepting his contention. So far as the question of exigencies of work is concerned it is management's function and it is for them to decide whether the services of S. R. Dey are required for exigencies of work. It is not for this Tribunal to say that. As regards the contention that he is called even at night for supplying petrol there is no documentary evidence on the record to support him. Ext. M-3 is against his contention. Oral evidence is conflicting. S. R. Dey says that he is called at night but the management submits that he was never called at night. The management has filed Ext. M-3, the Master Roll Register in order to show that Dey was never called to do duty at night during the period commencing from 1st August, 1982 to 28th February, 1983. This register supports the contention of the management. The concerned workman has not filed a chit of paper to show that he was ever called at night to supply petrol to the vehicle of the management. The contention of Mr. Asgar Ali therefore fails. MW-1 A. C. Banerjee has said in his evidence that there is a system of work, if anybody is required to be called at night, then advance booking requires to be sanctioned by the sanctioning authority who stays at the quarter and if there is any emergency occurring suddenly at night, he is informed then and there. He has also said that if anybody works beyond normal duty hours, he gets over-time. His evidence thus supports the case of the management.

6. Mr. D. K. Mukherjee argued that Ext. M-2 dated 10 December 1977 which was an agreement between the management on the one side and the unions of employees of CPT on the other with regard to the rate of rent will show that rent is to be paid for different types of quarters including B type quarter. This agreement is binding on every employee belonging to the different units. It may be mentioned here that the quarter of Dey is No. 12, Line No. A at Transport Depot Mazdoor Line. This is admittedly a B Type quarter. It is also clear that as per recommendation of Wage Revision Committee and as per Ext. M-2 rent is to be paid for such quarter. It is to be noticed that this quarter was provided to Sri Dey not in 1970 when he was promoted to the post of petrol pump attendant but in 1957 or 1958 when he was office peon. All class IV employees were admittedly enjoying rent free quarters upto December, 1973 and now rent is being realised from all with effect from 1st January, 1974. The house rent allowance payable to an employee not occupying a quarter was merged into his pay. In this view of the matter the recommendation of the Wage Revision Committee cannot be by-passed. It was accepted by the Central Government and thereafter agreement was also entered into between the management and the different unions as aforesaid with regard to the rate of rent. The contention of Sri Mukherjee therefore has force. I may also refer to the evidence of A. C. Banerjee who has deposed that there is no rent-free quarter for class IV employees. Mr. Asgar Ali says that there are some rentfree quarters given to some of the class IV employees but there is no evidence oral or documentary to support his contention. S.R. Dey himself has deposed in his chief that perhaps the lascars get rent-free quarters from the Calcutta Port Trust. He is not sure. No lascar has been examined. In such a situation if rent-free quarter is ordered to be provided for S.R. Dey it will rather create interest in the industry. There are more than 50 class IV employees residing inside the enclosure of the Central Transport Section and they will all make fresh demands and unsettle the settled things. In absence of any evidence, oral or documentary on the point, it would not be reasonable to hold that any class IV staff residing therein enjoys rent-free quarter. The contention of Sri Asgar Ali is therefore rejected.

7. Mr. Asgar Ali argued that National Union of Waterfront Workers was not a party to Ext M-2 but this contention has no merit. The management asserted this fact in their written statement. It was not denied by the Union in their rejoinder. Moreover Sri D.K. Mukherjee has filed the original memorandum of settlement also which shows that it was signed by the National Union of Waterfront Workers. So the point has no force. Sri Asgar Ali submitted that the original could not be filed after argument was over. But the copy

had already been filed earlier and so he has not been taken by surprise.

8. Sri Asgar Ali contended that the case of Dey rested on the principles of justice and that Dey could not be compelled to remain inside the enclosure of the Central Transport Section. His argument is not correct. The facts of the case show that there is no injustice done to Sri S.R. Dey. There is no basis for his demand. There is no law or agreement entitling him to rent-free quarters. He works only upto 4 or 4.30 p.m. Thereafter he is free. His work is simple. Supply of petrol is a simple work. So no injustice has been done to him. The action of the CPT is based on principles. It is in accordance with the recommendation of the Wage Revision Committee and also according to the agreement with the various unions. There is also no evidence on record to show that he is being compelled to remain inside the enclosure of the Central Transport Section. So the contention is without any substance. Sri Asgar Ali also argued that Section 9A of the Industrial Disputes Act 1947 will apply. I do not think so. Providing rent-free quarters to class IV employees prior to 1 January 1974 has not been shown to be a condition of service. So the argument is rejected.

9. On a consideration of the submissions advanced by the parties I hold that the management of the Calcutta Port Trust, Calcutta are justified in making recovery of the house rent and in not providing with effect from 1 January 1974 rent-free quarter to Sri Satya Ranjan Dey the Petrol Pump Attendant Central Transport Section of the Chief Mechanical Engineer's Department keeping in view the nature of duties performed by him. It follows that the concerned workman is not entitled to any relief.

This is my award.

Dated Calcutta.

The 19th October 1983.

M. P. SINGH, Presiding Officer.

[No. L. 32012(20)/80-D.IV(A)]

S. S. PRASHER, Desk Officer

New Delhi, the 3rd November, 1983

S.O. 4213.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the management of Beas Dam Project, Talwara Township and their workmen, which was received by the Central Government on the 27th October, 1983.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 27 of 1983

Employers in relation to the management of Beas Dam
Project Talwara (Punjab)

AND

Shri Gurcharan Singh Sidhu.

APPEARANCES :

For the Employers—Shri B. S. Puri.

For the Workman.—Shri D. S. Chohan.

Beas Dam Project

STATE : Punjab

AWARD

Dated Chandigarh the, 26th of October, 1983

The Central Government, Ministry of Labour, in exercise of the powers conferred on them under SSection 10(1)(d) of the Industrial Disputes Act, 1947, herein referred to as the Act vide their Order No L-42012(17)/79-D.II(R) dated 22nd/23rd April, 1980 read with S.O. No S-11025(2)/83 dated 8th June, 1983 referred the following Industrial dispute to this Tribunal for adjudication —

Whether the action of the management of Beas Dam Project Talwara Township in retrenching Shri Gurcharan Singh Sidhu, Silt Analyst Token No. 1027, on 24-10-1976 from the service of Beas Dam Project,

Talwara vide their Notice of Discharge dated 16-9-1976 is justified; If not, to what relief is the workmen entitled to?

2. According to the workman Shri G. S. Sidhu, he joined service under the respondent Beas Dam Project Talwara as a Workmistry on 5-1-1966 and was promoted to the rank of Silt Analyst in the Concrete Research Laboratory w.e.f. 1-10-1966 on account of his meritorious performance. However w.e.f. 1-10-1971 the respondent Board, without any prior or post intimation to him, changed his designation from Silt Analyst to Chargeman. It is averred that the action of the respondent management was not only violative of the mandatory provisions of Section 9-A of the Act, but was also malicious because the concerned Executive Engineer Inspection and Assn. Research Officer were biased against him due to his trade union activities. It was pleaded that there were specific instructions of the General Manager Beas Project restraining such alternations in designations of the workmen from non-supervisory to supervisory posts without his prior approval.

3. The petitioner/Workman added that the respondent/Board published the seniority lists of the Silt Analyst and Chargemen in the year 1974 and thus he came to know that his name was shown in both the categories, though with disturbed seniority in as much as his date of promotion to the post of Silt Analyst was depicted as 1-10-1967 instead of 1-10-1966 and Chargeman w.e.f. 1-10-1969 instead of 7-10-1971.

4. Highlighting his case, the Workmen claimed having moved a formal representation to the authorities of the Respondent/Board but they slept over the issue and ultimately terminated his services on 24-10-1976 from the post of Chargeman even though many persons junior to him were still working on the Project. He, therefore, raised an Industrial Dispute which could not be resolved amicably and hence the Reference.

5. Resisting the Workman's claim, the Management of the respondent/Board denied any malafides in changing his designation from Silt Analyst to Chargeman and averred that there was no occasion to promote him on account of any meritorious work. All the same it was admitted that he had joined their service as a Workmistry, was promoted to the post of Silt Analyst and then changed to Chargeman but the alteration was stated to have been validly ordered by a competent Officer.

6. Elaborating their story, the respondent/Board pleaded that the change in workman's designation was effected with his implied consent and that he had accepted and acted upon it for almost 3 years without any reservation. It was propounded that there was no prejudice to or detraction in the service conditions of the workman who actually played smart by inordinately keeping quite for a speculative future as his name was incorporated in the seniority lists of both the categories i.e. Silt Analyst as well as the Chargeman but according to them, it was a case of clerical mistake which was rectified in due course of time. The termination of the Workman's service was averred to have been based on the age old convention of "last come first go", on account of part completion of the Project-work.

7. The management also alleged that the Workmen was guilty of concealing the factum of his gainfull employment on the Shah Nehar Project under the Punjab Govt. after his disputed termination and was thus not entitled to any relief.

8. The respective contention of the parties were fully covered under the terms of Reference and that was how that my Id. predecessor called upon them to adduce evidence in support of their pleas. The petitioner/workman filed his own affidavit Ex. W/1 alongwith the documents Exhibit W/2 to 7, whereas the respondent/Board produced the affidavit of their Executive Engineer, Personal Division Shri Laxmi Narain besides filing a number of documents. I have carefully perused the entire material on records and heard the parties at length.

9. Pressing his case for the Workman, Shri Chohan referred to the letter Ex. W/2 dated 22-10-68 issued by the G.M. Beas Dam restraining any promotions from non-super-

visory to supervisory posts without his prior approval. He also took me through the affidavits of both the parties with the submission that the impugned change in designation was in contravention of these instructions and that otherwise too, it was not notified to the workman under Section 9-A of the Act. It was contended that in fact the Respondent/Board did not even claim having issued the requisite notice to the workman, therefore, the aforesaid change was void ab initio.

10. In spite of seeming attraction, the submission failed to carry conviction with me. As a matter of fact, letter Ex. W/2 relates to the promotion cases from non-supervisory to the supervisory posts, and it had never been the case of either of the parties that the impugned change in workman's designation from the Silt Analyst to the Chargeman had any adverse consequence or effect on his service conditions. Rather in his own statement of claim, the Workman admitted that both the posts carried the same pay and scales; meaning thereby that the change was not to his prejudice. It is besides the point that no particular adverse effect was pleaded or proved. On the other hand it is conceded that a Chargeman is also a workman within the scheme of the Act, because his primary function is to himself do the job manually rather than mere supervision of others.

11. In so far as the absence of a formal notice under Section 9-A of the Act is concerned, it has to be appraised in the totality of the circumstances. In my considered opinion compliance of the provision is required only when the proposed change has the tendency of, directly or indirectly, effecting the service or working conditions of the workman to his detriment or prejudice, otherwise its observance need not be strictly in accordance to the letter of law. In other words, consequence is the gist of the matter because if the concerned workman accepts a particular change without any reservation and voluntary acts upon it, he cannot be allowed to grumble after a couple of years, that the change was not properly notified. For my views I draw support from the observations of the Hon' Supreme Court in the matter of Management of Indian Oil Corporation Vs. Its Workmen-1975-Lab-IC-1429.

12. In the case in hand, the petitioner/workman was an educated man. On being shifted from the post of Silt Analyst to that of the Chargeman he was also required to do the job of filling up the Foremen Cards. Actually, he was the leader of a number of workmen and used to mark their attendance as well as his own; and that he had been doing so, should be abundantly clear from the Foreman-Time-Cards produced by the management. It goes without saying that their authenticity was admitted by Shri Chohan under his signed endorsement before my learned predecessor.

13. In the claim statement as well as in his affidavit Ex. W/1 the Workman had propounded a theory of having protested against the change at the very outset. But unfortunately for him, he did not make any effort to call for the relevant records from the respondent/Board. To me it appears that it was not an inadvertent omission, because had there been any such material, the workman must have put it to the XEN Shri Laxmi Narain MW1 when the latter appeared in the witness box to face the acid test of cross-examination.

14. The very fact that both the posts were equivalent in pay, perks and status, as well as in the nature of job and responsibilities, goes along way to demolish the grouse of the Workman particularly when he happily accepted and acted upon the change for no less than three years. It is besides the point that by virtue of letter No. 18338-40/BF/1B/61 dated 1-8-63 XEN was competent to effect the change even on his own, and regardless of the Workman's consent.

15. Under these circumstances it may not be possible to find fault with the Respondent's charge, that in fact the Workman was deliberately marking time to keep a cool and calculated watch on his seniority in both the categories of Silt Analyst as well as Chargeman, and when he found that the things were not happening to his complete satisfaction, he raised an half-hearted objection in the year 1974 and became

serious in the year 1976 when the Board started discharging a large number of workmen on account of part completion of the Project. The inference becomes all the more forceful when we examine the seniority lists filed by the Respondent/management, since they clearly show that the principle of 'last come first go' was strictly followed by them.

16. An interesting part of the story is that both in their written statement (para No. 9) and the affidavit of X.E.N. Laxmi Narain (para No. 6) the respondent/Board alleged that after his discharge from their Project, the petitioner/Workman was gainfully employed on the Shah Nehar Project. The averment was not denied in the rejoinder or by way of a counter affidavit. Even a suggestion was not floated to Laxmi Narain to refute the proposition. And to crown it all, the respondent/Board filed a number of documents i.e. Ex. MW/A, B & C to establish that the workman Shri Gurcharan Singh Sidhu was in the employment of Shah Nehar Project and was also involved in an industrial dispute which was later on referred by the appropriate Government to the Labour Court for adjudication.

17. Obviously it exposes a crude attempt on the part of the workman to conceal a material fact from this Tribunal and as such, adversely reflects upon his conduct.

18. Thus to sum up my aforesaid discussion on the various aspects of the issue raised before me, I find no impropriety or illegality in the action of the respondent/Management in dispensing with the services of the petitioner. Accordingly, I answer the Reference against him and give my Award in favour of the respondent/Management.

I. P. VASISHTH, Presiding Officer,
[No. L-42012(17)/79-D.II(B)]

Chandigarh, 26-10-1983.

New Delhi, the 1st November, 1983

S.O. 4214.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of Doordarshan Kendra, Lucknow and their workman, which was received by the Central Government on the 25th October, 1983.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
NEW DELHI.

I.D. No. 45 of 1979

In the matter of disputes between :

Shri Ashok Kumar C/o Smt. Uma Devi Srivastava,
Mukut Niwas, Bara Chandganj, Chapar Talla,
Lucknow.

AND

The Director, Doordarshan Kendra, Ashoka Marg,
Lucknow.

APPEARANCES :

Shri J. S. Joshi.—for the Management.

Shri A. K. Rawal.—for the Workman

AWARD

The Central Government, Ministry of Labour, vide Order No. L-42012(16)/79-D.II.A, dated 30th July, 1979, made the reference of the following dispute to this Tribunal for adjudication:—

"Whether the action of the Director, Doordarshan Kendra, Lucknow in terminating the services of Shri Ashok Kumar, Class IV employee, with effect from the 29th September, 1977 is justified? If not, to what reliefs the workman entitled?"

2. Mr. Ashok Kumar was employed as casual labour Class IV at Doordarshan Kendra, Lucknow w.e.f. 21-1-1976 and worked till 29-9-1977, for a period of 570 working days. Thereafter, he was not allowed to work on account of some orders of Ministry of Finance, Government of India. He claimed reinstatement in service with full back wages on account of "retrenchment" covered by Section 25-F of the Industrial Disputes Act, 1947 without complying with the provisions of that section on account of non-payment of retrenchment compensation.

3. The Management of Doordarshan Kendra, Lucknow contested the claim of the workman and pleaded that his engagement was intermittent during the period between 21-1-1976 and 29-9-1977 but did not deny his working for 570 working days. It was pleaded that there was a clear understanding that the Management will not be liable to engage him or provide work for him regularly. He was free to work or not to work in the Kendra and was not bound to come daily and on occasions, he did not come. The entire establishment sanctioned for the Doordarshan Kendra was temporary and they had to work within the budget allocation which was for specified items. The Ministry of Finance imposed complete ban on daily wage-basis and as such, the services of Ashok Kumar had to be terminated.

4. Preliminary objections were raised that Doordarshan Kendra was not an "industry" and there was no "industrial dispute".

5. The evidence has been recorded and the workman gave his own affidavit in support of his case. The Management filed an affidavit of Shri Harsh Vardhan, Superintending Engineer, Doordarshan Kendra, Lucknow and certain documents have also been filed by the Management. I have perused the documents and written arguments filed by the workman.

6. The Memorandum issued by Dy. Director of Administration to Director of Doordarshan Kendra of 12th/14th October, 1977 regarding economy in Administrative expenditure is in the following terms :—

**"GOVERNMENT OF INDIA
DIRECTORATE GENERAL DOORDARSHAN"**

No. A-22015/24/77-SII Dated the 12th/14th Oct., 1977

MEMORANDUM

Sub.—Economy in Administrative expenditure.

Reference Doordarshan Kendra letter No. Tv(LKO)20-(1)/77-S 9290 dated 30th July, 1977 on the subject noted above.

- It is observed that the Doordarshan Kendra, Lucknow has been engaging 28 additional hands on daily wages. However, it is not clear from which date they have been engaged. It appears that the Director, Doordarshan Kendra has not taken the instructions regarding economy in the Administrative Expenditure seriously and even now he has sought to continue the daily wages staff on the plea that his office is located at three places and not at one place. It may be mentioned that the Directorate is aware of the fact and while sanctioning the staff for Doordarshan Kendra, Lucknow, this situation was taken into account. A statement indicating various categories of Class IV staff as should or proposed is enclosed. Doordarshan Kendra, Lucknow's proposal for additional staff in these categories which is under consideration has been indicated in column-2 of the enclosed statement. Beyond that there is absolutely no justification for engaging daily wages staff out of contingencies. This is a gross misuse of the powers vested with the Director, Doordarshan Kendra Lucknow for engaging Casual Labourers for essential day-to-day work. These powers are required to be exercised with great caution and the discretion of the Head of Office should not be

used to have regular staff on daily wages. In this connection attention is invited to Government of India O. M. No. F. 14(4)-E(Coord)/77 dated 27-5-1977 wherein the engagement of daily wages staff for regular work is not permissible.

- Doordarshan Kendra, Lucknow may, therefore see and immediately discontinue daily wages employees. The circumstances under which daily wages staff for regular work was engaged in far excess of the requirement may please be explained to the Directorate immediately.

The Director
Doordarshan Kendra
Lucknow.

Sd/-

C. L. ARYA, Dy. Director
of Administration"

7. The above letter is the basis for the termination of the services of Ashok Kumar.

8. The Industrial Disputes Act, 1947 in Section 25F requires that in case of workmen, who have worked for 240 days in a year with a Management, the termination should be preceded by payment of Retrenchment Compensation. In this case also, Doordarshan Kendra, Lucknow could have terminated the services of Ashok Kumar by paying him retrenchment compensation due. It is not the termination that was had to be done in accordance with the by the special law, Industrial Disputes Act, 1947, which applied to this workman, Ashok Kumar.

9. The word 'Industry' defined in Section 2(j) to mean any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen, has been authoritatively defined by the Supreme Court in "Bangalore Water Supply & Sewerage Board etc. Vs. A. Rajappa and Others" reported in 1978(36) FLR 266, to include all systematic activities in an organisation by co-operation between employees and employer for the production or distribution of material goods and/or services. In the case of the State only sovereign functions are excluded from the term 'industry'.

10. In "T. K. Jana Vs. Calcutta Telephones and Others" reported in 1981 II LLJ 382, the Calcutta High Court held Calcutta Telephones to be an industry within the meaning of the term 'industry' as defined in section 2(j) of the Industrial Disputes Act, 1947. Doordarshan Kendra does not have a different character and will be included in the definition of 'Industry' in Section 2(j) of the Act. Doordarshan Kendra provides information and entertainment by audio visual means. This activity is not a sovereign function of the State and can be undertaken by private enterprises and does not have the character of a regal function of the State. For similar reasons, the dispute raised by the workman in the present case, would qualify as an 'industrial dispute', because the definition of "workman" in the Industrial Disputes Act, 1947 does not exclude casual labour from that category and does not lay down that only permanent employee will be included in the definition of "workman". This has been emphatically stated in the aforesaid Judgment in the case of "T. K. Jana" (supra).

11. The provisions of the Industrial Disputes Act, 1947 including Section 25-F thereof would apply to the workman, Shri Ashok Kumar and the Management of Doordarshan Kendra did not understand the law applicable to the case of Ashok Kumar and did not comply with the provisions of Section 25-F while terminating his services. The consequence is that the termination of services of Ashok Kumar must be held to be invalid and vitiated for non-compliance with applicable Section 25-F of the Industrial Disputes Act, 1947 and he must be deemed to be in service and he is ordered to be paid full back wages and is ordered to be taken back in service. However, the Management is not precluded from taking action for terminating his services by following the procedure under Section 25-F of the I.D. Act, 1947.

12. The award is made in the terms aforesaid.

Further ordered that the requisite number of copies of this award be forwarded to the Central Government for necessary action at their end.

B. R. YADAV

October 20, 1983.

Nangia

O. P. SINGLA, Presiding Officer.

[No. L-42012(16)/79-D. II(F)]

T. B. SITARAMAN, Desk Officer

New Delhi, the 3rd November, 1983

S.O. 4215.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1 Dhanbad in the industrial dispute between the employers in relation to the management of Benedih Colliery of Messrs Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 31st October, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD.

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 57 of 1982.

PARTIES :

Employers in relation to the management of Benedih Colliery of Messrs Bharat Coking Coal Ltd., P. O. Nawagarh, District Dhanbad.

AND

Their Workmen

PRESENT :

Mr.—Justice Manoranjan Prasad (Retd.),
Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen—Shri J. D. Lal, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 25th October, 1983

AWARD

By Order No. L-20012(257)/75-D.III(A) dated the 22nd May, 1982, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Considering the judgment of acquittal dated the 2nd February, 1982 by the Magistrate I Class, Dhanbad, whether the action of the management of Benedih Colliery of Messrs Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad, in dismissing Sarvashri S. K. Chakravorty, Electrical Supervisor; S. D. Singh, Overman; and Nathu Mahato, Underground Trammer from service with effect from the 19th April, 1975 was justified? If not, to what relief are the concerned workmen entitled and from what date?"

2. The case of the management is that the three concerned workmen, namely, S. K. Chakravorty, Electrical Supervisor; S. D. Singh, Overman; and Nathu Mahato, Underground Trammer organised a mob on 29-12-74 with the intention of carrying on a violent demonstration and

proceeded towards the office of the Benedih Colliery at about 9.30 a.m. and after reaching the main gate they shouted slogans provoking the mob to undermine the authority of the then Sub-Area Manager and the Manager of Benedih Colliery and went on giving threats of dire consequences to the Manager and the Sub-Area Manager. They instigated the mob to break open the office door, to kill the Manager and set fire to the office and damage the properties. As a result of the instigation the mob led by them started causing damage to the office and went on pelting stones causing damage to the properties and injuries to persons. Parshupati Singh, the Security Havildar and Satyanarayan Chaudhary, the Security Jawan received injuries on their persons while they were on duty. The aforesaid acts committed by them constituted serious type of misconducts under the Model Standing Orders applicable to the colliery. They were accordingly charged under clauses 17(1)(i), 17(1)(r) and 17(1)(t) of the Model Standing Orders for causing wilful damage to the property of the employer and for threatening, abusing and assaulting superior officers and co-workers and for preaching and inciting to violence, and they were issued three separate chargesheets dated 5-1-75 to which they separately submitted their replies, denying the allegations. Thereupon Sri R. Mohan, the then Senior Personnel Officer in Phularitand Sub-Area, within which Benedih colliery lay, was appointed as the Enquiry Officer to conduct the departmental enquiries who conducted three separate enquiries in respect of the three charge-sheets issued to the three concerned workmen. The different departmental enquiries were conducted on different dates in presence of the concerned charge-sheeted workmen and they were given full opportunity to cross-examine the management's witnesses and to produce their defence witnesses and to give their own statements and in conducting the enquiries the principles of natural justice were followed in all the cases. After the completion of the enquiries against each charge-sheeted workmen, the Enquiry Officer prepared three separate enquiry reports holding them guilty of the charges levelled against them. The enquiry proceedings, enquiry reports and all other relevant papers were duly examined by the Manager, the Agent, the Sub-Area Manager and the General Manager who was also the Chief Mining Engineer of the colliery, and the General Manager/Chief Mining Engineer approved the dismissal of the concerned workmen from their services on account of the misconduct committed by them and thereafter they were dismissed from their services with effect from 19-4-1975.

3. It is further the case of the management that the Bihar Colliery Kamgar Union raised an industrial dispute in the year 1975 alleging that the dismissal of the concerned workman was illegal and unjustified and that they were victimised for their trade union activities. Thereupon, the Assistant Labour Commissioner (C), Dhanbad, initiated conciliation proceedings, but, after examining the charge-sheets, replies to the charge-sheets, enquiry proceedings, enquiry reports and all other connected papers, he came to the findings that all the enquiries were conducted in accordance with the principles of natural justice and the findings of the Enquiry Officer were based on materials on records and the concerned workmen were guilty of the misconduct levelled against them. The Assistant Labour Commissioner (C) accordingly rejected the plea of the Union that the action was illegal, unjustified or was an act of victimisation. Thereafter the Central Government also considered all the aspects of the case and found the action of the management as legal and justified and the Central Government did not consider the case fit for reference. The present reference, after a lapse of seven years, which was once decided as unfit for reference, is not at all maintainable. The issue posed by the Central Government for adjudication in the present reference which is based on subsequent acquittal of the concerned workmen in an earlier instituted criminal case against them in respect of the same occurrence by judgment dated 2-2-1982 of the Court of the Magistrate Ist Class, Dhanbad, is already settled by a series of decisions of Industrial Tribunals, High Courts and Supreme Court in which it has been repeatedly held that conviction or acquittal on a criminal charge has no relationship with findings of guilt established in departmental enquiry and any subsequent acquittal on a criminal charge cannot be a ground for setting aside the order of dismissal passed against the concerned workmen for commission of serious type of misconducts duly established in a departmental enquiry. According to the management, therefore, the concerned workmen are not entitled to any relief.

4. The case of the concerned workmen, on the other hand, is that they were active office-bearers of the local branch of the Bihar Colliery Kamgar Union, S. K. Chakravorty being the President, S. D. Singh being the Vice President and Nathu Mahato being the Secretary of the local branch of the Union. In course of their trade union activities they incurred the displeasure of the local management. The local branch of the Union organised a peaceful demonstration to press a Charter of demands which were pending redressal for pretty long time on 29-12-1974 before the local management in pursuance of their legitimate trade union activities. The management, however, strangely issued chargesheets dated 5-1-75 in identical terms against the concerned workmen and also against some other workmen for organising a violent demonstration, abusing, threatening and instigating the workers to violence etc. on 29-12-74. A police case was also instituted by the Manager of Benedih Colliery in respect of the alleged incident on 29-12-74 against the concerned workmen and some other workmen which was numbered as G.R. Case No. 3007 of 1974. The concerned workmen as also other chargesheeted workmen replied to the chargesheets denying the allegations against them. The management thereupon instituted separate departmental enquiries against them and some other chargesheeted workmen and though the enquiries were in respect of the same incident on 29-12-74 and the same set of witnesses were examined by the management in all the enquiries against each of the chargesheeted workmen, only the three concerned workmen were dismissed from service with effect from 19-4-75 and other chargesheeted workmen were let off without any punishment whatsoever. The charges against the concerned workmen were all fake and cooked-up to victimise them for their legitimate trade union activities. The enquiries were also conducted in most perfunctory manner and in violation of the principles of natural justice. The Manager, who had issued the chargesheets against the charge-sheeted workmen, had also acted as a witness and prosecutor at the same time and he had cross-examined all the defence witnesses and the charge-sheeted workmen which show that he was biased and interested and as such he was not competent to consider the enquiry reports submitted to him by the Enquiry Officer or to make any comment on the enquiry reports or to recommend any punishment to the higher authorities, such as, Sub-Area Manager and General Manager. The enquiry proceedings are also vitiated as the Enquiry Officer did not consider the evidence of the defence witnesses and dismissed their evidence on the sole ground that they belonged to the same Union. The findings of the Enquiry Officer are perverse and based on no evidence. The General Manager or the Sub-Area Manager had no authority to approve or to pass the dismissal orders as no such power was delegated to them by the company, namely, M/s. Bharat Coking Coal Ltd. which alone is competent to pass the dismissal orders under the provision of Section 17 (1) of the Coking Coal Mines (Nationalisation) Act, 1972. The orders of dismissal were also illegal in as much as no consideration of past records, gravity of the charges or any other extenuating circumstances were taken into consideration as required under the Model Standing Orders applicable to M/s. Bharat Coking Coal Ltd. The criminal case, namely, G.R. Case No. 3007 of 1974 instituted against the concerned workmen for the same occurrence, which was the subject matter of the departmental enquiries, subsequently resulted in their acquittal by the trying Magistrate who held in his judgement that the charges levelled against the concerned workmen were not proved. Their prayer, therefore, is that it may be held that the action of the management in dismissing them with effect from 19-4-1975 is illegal and unjustified and they be ordered to be reinstated to their original jobs with continuity of service and full back wages and other emoluments from the date of their dismissal to the date of their reinstatement.

5. It is further the case of the concerned workmen that though earlier the Central Govt. did not consider the dispute fit for reference it re-considered the matter on a representation made by the sponsoring union and made the present reference which the Central Govt. was quite competent to do.

6. On 5-5-83 a petition was filed by Sri R. Joshi, Advocate appearing for the management for deciding the question of fairness and propriety of the three domestic enquiries as a preliminary issue with a further prayer that if it be held that the enquiries were neither fair nor proper, the management may be given opportunity to establish the charges levelled against the three concerned workmen by adducing fresh evi-

dence before this Tribunal. Accordingly, the question of fairness and propriety of the domestic enquiries had been taken up as a preliminary issue in which the management had examined the Enquiry Officer, Sri Rajender Mohan (MW-1), the then Senior Personnel Officer of Phularitand Sub-Area within which Benedih colliery lay, who had conducted the three domestic enquiries against the three concerned workmen, and through him the management had also got proved and exhibited a number of documents concerning the three enquiries which have been marked as Exts. M-1 to M. 39.

7. In that connection Sri J. D. Lal, Advocate, appearing for the concerned workmen had also urged that the General Manager, Area No. 1 Sijua, who had made the endorsements of approval of dismissal (Exts. M-9, M-22 and M-37) in respect of the three concerned workmen had no authority to approve their dismissal. It was also urged by Sri J.D. Lal that under Order No. 17(iv) of the Model Standing Orders applicable to M/s. Bharat Coking Coal Ltd. it is incumbent on the authority awarding punishment to take into account the gravity of the misconduct, previous record, if any, of the workmen and any other extenuating or aggravating circumstances that may exist, but this was not done in the cases of the concerned workmen, and hence the enquiries were vitiated.

8. By order dated 11-8-83, for the reasons given therein, it has already been held that all the three departmental enquiries held in this case were fair and proper. By the said order it has also been held that the General Manager, Area No. 1, Sijua, who had made endorsements of approval of dismissal (Exts. M-9, M-22 and M-37) in respect of the three concerned workmen had authority to approve their dismissal. It has further been held that the seriousness and gravity of the misconduct had been taken into account by the authorities concerned while passing the orders of dismissal against the concerned workmen which is apparent on the face of the records, and, moreover, the question of punishment can be gone into under section 11-A of the Industrial Disputes Act, 1947 while deciding the dispute on merit and it was premature to raise that question at the stage of deciding the fairness and propriety of the domestic enquiries.

9. After passing the aforesaid order dated 11-8-83, the case was heard on merit on 30-9-83 when the certified copy of the judgement of acquittal dated 2-2-82 of the Court of Sri M. D. Mohan, Judicial Magistrate, 1st Class, Dhanbad in G.R. Case No. 3007/74, referred to in the order of reference, as well as the certified copy of the charges dated 15-5-81 framed in that case and certified copy of the First Information Report dated 29-12-74 giving rise to the aforesaid G.R. Case No. 3007/74, which had been filed on behalf of the concerned workmen, were also marked as Exts. W-1, W-2 and W-3 respectively, the certified copy of the depositions of the prosecution witnesses who were examined in that criminal case have also been filed on behalf of the concerned workmen and they are on the record.

10. Before discussing the evidence adduced at the three departmental enquiries on merit, I would like to dispose of one preliminary objection raised by the management that the Central Govt. had no power to make the present reference by order dated 22-5-82 after it had once declined to do so earlier about 7 years back when the union had raised this very dispute in the year 1975. In this connection it is not disputed by the concerned workmen that the union had earlier raised the dispute in the year 1975 when the Central Govt. had declined to refer it for adjudication, but their case is that subsequently when the union made representation to the Central Govt., the Central Govt. re-considered the matter and then referred the present dispute for adjudication which the Central Govt. was quite competent to do. This point appears to have been settled by the Supreme Court in the cases of M/s. Western India Match Company Limited Vs. The Western India Match Co. Workers' Union 1970 (111) 256 and Avon Services Production Agencies (P) Ltd. Vs. Industrial Tribunal, Harvana and others (1978) 53 FIR 341 in which it has been held that in the light of the nature of the function of the Government and the object for which the power is conferred on it, would be difficult to hold that once Government had refused to refer it cannot change its mind on re-consideration of the matter either because new facts have to come to light or because it had misunderstood the existing facts or for any other relevant consideration and decided to make the reference, and that it is not possible to accept the submission that if the

Government had on an earlier occasion declined to make a reference, unless it be shown that there was some fresh or additional material before the Government, the second reference would be incompetent. In view of the aforesaid Supreme Court decisions, I see not merit in the aforesaid objection raised on behalf of the management that the present reference made by the Central Government by order dated 22-5-1982 is not maintainable in view of its earlier refusal to make a reference when the union had raised this very dispute in the year 1975. After having negatived this preliminary objection raised on behalf of the management I would now proceed to examine the evidence adduced in the three departmental enquiries on merit in respect of the three concerned workmen, namely, S.K. Chakravorty, S.D. Singh and Nathu Mahato keeping in view the judgement of acquittal dated 2-2-1982 passed by the Magistrate, First Class, Dhanbad. (Ext. W-1) as mentioned in the order of reference.

11. In this connection at the very outset I would like to mention that while the three concerned workmen, namely, S.K. Chakravorty, S.D. Singh and Nathu Mahato were charged (vide charge sheets Exts. M-1, M-13 and M-26) for misconduct under clauses (i), (r) and (t) of Order No. 17 (1) of the Model Standing Orders applicable to M/s. Bharat Coking Coal Ltd., S.D. Singh was further charged for misconduct also under clause (p) and (q) of the said Order. For the sake of convenience the said clause (i), (r), (t), (p) and (q) of the said Order No. 17(1) are quoted below :—

17. Disciplinary action for misconduct.

- (1) (i) Causing wilful damage to work in progress or to property of the employer.
- (r) Threatening, abusing or assaulting any superior or co-worker.
- (t) Preaching of or inciting to violence.
- (p) Leaving work without permission or sufficient reason.
- (q) Any breach of the Mines Act, 1952, or any other Act or of any rules, regulations or bye-laws thereunder, or of any standing Orders.

12. The Enquiry Officer, Sri Rajender Mohan (MW-1), who had separately conducted the three departmental enquiries against the three concerned workmen had in his enquiry reports dated 3-4-75, 9-4-75 and 9-4-75 (Exts. M-5, M-17 and M-32) held that the charge of misconduct under clause (i) of the Standing Order No. 17 (1) had not been proved against any one of them and the allegation of causing injuries to the Security personnels, Pasupati Singh and Satyanarain Choubey by pelting stones had not also been substantiated. He, however, held that the charges of misconduct under clauses (r) and (t) had been proved against all of them. Besides the charges of misconduct under clauses (p) and (q) had also been proved against S.D. Singh. I would, therefore, confine the consideration of the evidence only in so far as they relate to the charges of misconduct which, according to the Enquiry Officer, had been proved against the concerned workmen, and not in respect of the charge of misconduct under clause (i) of the Standing Order No. 17 (1) or the allegation of causing injuries to the security personnels by pelting stones which had not been proved against any one of them.

13. From the pleadings of the parties it appears to be an admitted case that on 29-12-74 a demonstration of the workmen was organised, but, while the case of the management is that when on that date at about 9-30 a.m. the demonstrators reached the main gate of the office of the Benedih colliery, the concerned workmen, who were amongst the demonstrators, shouted slogans provoking the mob to undermine the authority of the then Area Manager and the Manager of Benedih colliery and went on giving threats of dire consequences to the Manager and the Sub-Area Manager and instigated the mob to break open the office door and to kill the Manager and set fire to the office and damage the property and as a result of the instigation the mob led by them started causing damage to the office and went on pelting stones causing damage to the properties and injuries to Pasupati Singh, Security Havildar and Satnarain Choubey, Security Jawan, the case of the concerned workmen is that they were active office bearers of the local branch of the Bihar Colliery Kam-

gar Union, S.K. Chakravorty being the President, S.D. Singh being the Vice-President and Nathu Mahato being the Secretary of the local Branch of the union and they had, in pursuance of their legitimate trade union activities, organised on 29-12-74 a peaceful demonstration before the local management to press a charter of demands which were pending redressal for a pretty long time but they were falsely implicated in this case on false allegations of various misconducts mentioned in the chargesheets served on them because they had incurred the displeasure of the local management due to their fearless espousal of the grievances of the workmen of the colliery. It is also the admitted position that while they were found guilty of different misconducts in the departmental enquiries conducted against them as detailed above in consequence whereof they were all dismissed by three separate orders dated 19-4-75 (Exts. M-12, M-24 and M-39) with immediate effect, they were subsequently acquitted by judgement dated 2-2-1982 (Exts. W-1) passed by Sri M. D. Mohan, Judicial Magistrate, First Class, Chas, Dhanbad, in G.R. Case No. 3007/74 arising out of the First Information Report dated 29-12-74 (Ext. W-3) made by Sri S.S. Sinha Babu, the Manager of Benedih Colliery, against the three concerned workmen to the Officer-in-charge of Baghmara Police Station in respect of the same occurrence of 29-12-74. It is in this back ground that the present reference has been made to the effect that considering the judgement of acquittal dated 2-2-1982 by the Magistrate, First Class, Dhanbad, whether the action of the Management of Benedih colliery in dismissing the three concerned workmen from service with effect from 19-4-1975 was justified and, if not, to what relief are the concerned workmen entitled and from what date. Therefore the evidence which was led before the Enquiry Officer in the three separate departmental enquiries conducted against the three concerned workmen has got to be analysed in the light of the aforesaid judgment of acquittal of the three concerned workmen.

14. From the enquiry proceedings of the three departmental enquiries (Exts. M-4, M-16 and M-31) it would appear that Sri S.S. Sinha Babu, Manager, Benedih colliery, who had also lodged the First Information Report dated 29-12-74 (Ext. W-3) against the three concerned workmen, was the main witness examined by the management in all the three enquiries who had deposed as an eye witness to the occurrence and had claimed to have not only seen the occurrence but also to have identified the three concerned workmen taking part in the demonstration and had assigned different overacts to them. For example, he had stated in the domestic enquiry against S.K. Chakravorty that S.K. Chakravorty was leading the mob along with others and the mob was also addressed by S.K. Chakravorty who in course of his address abused and threatened with dire consequences the Sub-Area Manager and the manager and had also instigated the mob to break open the office and assault the Manager and it was on the said instigation that the mob started brick batting and discharging arrows etc. Similarly, in the enquiry against S.D. Singh he had stated that S.D. Singh was also leading the mob which was also addressed by S.D. Singh in which he abused the Sub-Area Manager and the Manager by name and threatened them with dire consequence and provoked the mob to break open the door and assault the Manager. Similarly, in the enquiry against Nathu Mahato he had stated that the procession was led by Nathu Mahato and others. But curiously enough when Sri S.S. Sinha Babu, Manager, was examined in the criminal case as prosecution witness No. 1 before the Magistrate, he made a complete somersault and completely denied to have either seen the occurrence or to have identified any of the concerned workmen amongst the demonstrators by stating that when the demonstrators reached at the gate of the office, he constable on duty did not allow him to come out of his office room due to which he remained confined all through inside his office room and did not see what happened outside the office room or who were there amongst the demonstrators. It was because of this that the prosecution had declared him as "hostile" witness. Similar was the case with Pasupati Singh, Havildar, who was examined as management's witness in all the three departmental enquiries as eye witness to the occurrence but who too made a similar somersault in the criminal case where he was examined as P.W. 8 and where he deposed that since he was new to the place he had not identified the leaders of the demonstrators or any workmen amongst the demonstrators as he can identify them even now on seeing their faces. Sri C.P. Singh, Welfare Officer, was examined by the management as an eye witness to the occurrence in the enquiry against S.K. Chakravorty but he too while being examined in the

criminal case as P.W. 4 made a similar somersault by stating in his deposition that he had also not identified any of the demonstrators with the result that the prosecution had declared him also as hostile witness. Such being the calibre of the management's witnesses including Sri S.S. Sinha Babu, the manager of the colliery, who was also the First Informant in the criminal case, who made one set of statements in the departmental enquiry and quite different and contrary set of statements before the criminal court, no reliance can be placed on their evidence in the departmental enquiry. That being so, I am also not prepared to believe the evidence of Sri A.K. Bahal, Asstt. Manager, who was examined as management's witness in the enquiry against S.K. Chakravorty and S.D. Singh, Sri C.N. Singh, Personnel Officer and Sri Chandrika Prasad, Inspector, who were examined as management's witnesses in all the three enquiries and Ramchandar Singh, Cashier, who was examined as management's witness in the enquiry against S.K. Chakravorty and Nathu Mahato and who had all supported the version of the occurrence given by Sri S. S. Sinha Babu, Manager who has already been disbelieved for the reasons given above. These management's witnesses might have also taken the same course of some result adopted by Sri S. S. Sinha Babu, Manager, in the criminal case had they been also examined in the criminal case, but for the reasons best known to them they kept themselves back from the criminal court and did not come forward to depose before the criminal court and in their places, the management chose to put some other set of witnesses in the witness box in the criminal case but they all denied to have either seen the occurrence or to have identified anybody amongst the demonstrators with the result that they too were declared as hostile witnesses and it was on account of complete want of prosecution evidence that the learned Magistrate acquitted all the three concerned workmen besides some others who were jointly put on trial on charges under sections 148, 323 and 337 of the Indian Penal Code (vide Ext.W-2).

15. It is admitted by the concerned workmen in their written statement that on 19-12-74 the local branch of the union had organised a demonstration before the local management but their case is that the demonstration was in pursuance of their legitimate trade union activities to press a charter of demands which were pending redressal for a pretty long time and that the demonstration was peaceful but the management had strangely charge-sheeted them in identical terms as they were active office bearers of the local branch of the union and in course of their trade union activities they had incurred the displeasure of the local management. S.K. Chakravorty being the President, S.D. Singh, being the Vice-President and Nathu Mahato being the Secretary of the local branch of the union. That these three concerned workmen were respectively President, Vice-President and Secretary of the local branch of the union was not denied by the management during the course of the departmental enquiries. S. K. Chakravorty had also in the departmental enquiry against him deposed that on 29-12-74 the workers had organised a demonstration and taken out a procession to press their various demands which were pending redressal since long and had gone to the Benedih colliery office but had found the gate locked with security force armed with rifle standing there and when they were not allowed to go inside to meet the Manager to place their charter of demands before him they raised slogans like "Pura Paise Pura Kam Nahi To Hoga Chakka Jam, Mazdoor Ki Mange Puti Karni Paregi, Karni Paregi", but, in the mean-time, Sri A.K. Bahal, Asstt. Manager came out of the office on the verandah and said something slowly to the security Sub-Inspector. Sri Chandrika Prasad, whereupon Sri Chandrika Prasad gave certain instruction to the security rifle party who were there inside the gate and thereafter Sri Chandrika Prasad blow his whistle thrice whereupon the security party aimed their rifles towards the demonstrators on which there was commotion amongst the demonstrators who fled saving that the security force was firing at them and they receded about 200 yards away from the main gate of the Benedih office. S.K. Chakravorty had also examined a number of defence witnesses namely, Balu Mahato, Mahabir, Modi, Paiender Lala and Salim Ansari, all workmen of Benedih colliery, in support of the aforesaid defence version. The other two concerned workmen, namely S. D. Singh and Nathu Mahato

had, however, in their evidence, in the departmental enquiries against them, denied their presence in the demonstration and had also examined a number of workmen of the colliery in support of their respective cases.

16. In view of what has been discussed above the management must be held to have miserably failed to bring home the charges levelled against the concerned workmen in the departmental enquiries by reliable and cogent evidence, and, in that view of the matter, independently of what the concerned workmen and their defence witnesses had stated in denial of the charges in the departmental enquiries, considering the acquittal of the concerned workmen in the criminal case in respect of the same occurrence by judgement dated 2-2-1982 (Ext. W-1) of the Magistrate, First Class, Chas, Dhanbad, in the light and in the context explained above, the action of the management of Benedih colliery of M/s. Bharat Coking Coal, Ltd. in dismissing the concerned workmen S/Shri S. K. Chakravorty, Electrical Supervisor, S. D. Singh, Overman and Nathu Mahato, Underground Trammer, from their services with effect from 19-4-1975 cannot be said to be based on cogent and reliable evidence and hence it cannot be said to be justified, and, in that view of the matter, they are entitled to be reinstated to their original posts with effect from that date with continuity of service and all back wages. The award is made accordingly, but, in the circumstance of the case, there will be no order as to cost.

MANORANJAN PRASAD, Presiding Officer

[No. L-20012/25/75-D. III(A)]

A. V. S. SARMA, Desk Officer

(पुनर्वास विभाग)

नई दिल्ली, 16 अक्टूबर, 1983

कांआ० 4216-—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 की धारा 34 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए मैं, विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) नियम 1955 के नियम 81 1(क) के खण्ड (ख) के पन्तुक के अधीन मुझमें निहित शक्तियों बन्दोबस्त आयुक्त श्री महेंद्र कुमार कंसल को सौंपना हूँ श्री कंसल द्वारा इन शक्तियों का प्रयोग उक्त अधिनियम की धारा 9 के अधीन मुआवजे के भुगतान के लिये आवेदन पत्र दाखिल करने में हुई देरी के संबंध में माफी देने के लिये किया जाएगा।

[संख्या 1(19)/वि.स्वे०/83-गम एम-ii (ई)]

ए० के० मुखर्जी, मुख्य बन्दोबस्त आयुक्त

(Department of Rehabilitation)

New Delhi, the 26th October, 1983

S.O. 4216.—In exercise of the powers conferred by sub-section (2) of Section 34 of the displaced persons (Compensation and Rehabilitation) Act, 1954, I delegate to Shri M. K. Kansal, Settlement Commissioner the powers vested in me the proviso below clause (b) of Rule 84 1(A) of the Displaced Persons (Compensation and Rehabilitation), Rules, 1955 to be exercised by him in relation to condonation of delay in filing the applications for payment of compensation under section 9 of the said Act.

[No. 1(19)/Spl. Cell/83-SS. II(E)]

A. K. MUKHERJEE, Chief Settlement Commissioner

(श्रम विभाग)

आदेश

नई दिल्ली 9 अक्टूबर, 1983

कांआ० 4217-—मूलाभूमि ग्रामीण बैंक, बांकुरा के प्रबंधन से संबंधित नियोजकों और उनके कर्मचारियों के बीच, जिसका प्रतिनिधित्व मूलाभूमि ग्रामीण बैंक एग्रीगेशन करती है, एक औद्योगिक विवाद विद्यमान है;

और उक्त नियोजकों और कर्मचारियों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उपधारा (1) के अन्वय में एक लिखित करार द्वारा उक्त विवाद को माध्यम के लिए निर्दिष्ट करने का करार कर लिया है और उक्त अधिनियम की धारा 10-क की उपधारा (3) के अधीन उक्त माध्यम करार की एक प्रति केन्द्रीय सरकार को भेजी गई है।

अतः अत्र उक्त अधिनियम की धारा 10-क को उपधारा (3) के अन्वये के अनुसरण में केन्द्रीय सरकार उक्त माध्यम्यम करार को प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अन्वये)

के बीच

निम्न निम्नलिखित प्रतिनिधित्व करने वाले

मल्लभूम ग्रामीण बैंक,
डाकघर और जिला बाकुरी,
पश्चिम बंगाल

कर्मकारों का प्रतिनिधित्व करने वाले

मल्लभूम ग्रामीण बैंक इम्प्लाइज
एम्प्लोयर्स एसोसिएशन डाक और जिला
बाकुरी (पश्चिम बंगाल)

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद को श्री एम.जी.० वानरे क्षेत्रीय श्रमसुख (केन्द्रीय) 19/1 एपीयर गार्डन, आसनसोल-713 304 के माध्यम्यम के लिए निर्देशित करने का करार किया गया है।

(1) विनिर्दिष्ट विवादग्रस्त विषय :- "क्या मल्लभूम ग्रामीण बैंक बगुनकुदर शाखा जिला पुरुलिया के लिपिक एवं खजान्ची श्री तरानी धर महतो को बैंक द्वारा जारी किए गए नोटिस संख्या एम जी बी/एच.पी./सी.एच.ए/1509/81 तारीख 17-3-1981 में उनके विरुद्ध लगाए गए आरोपों के अनुसार विशेष रूप से बैंक के प्रबंधन द्वारा की गई घरेलू जांच के प्रकाश में बांधी है यदि नहीं तो संबंधित कर्मकर किस अनुलोप के हकदार है?"

(2) विवाद के पक्षकारों का विवरण मल्लभूम ग्रामीण बैंक बाकुरी जिले में अंतर्गत स्थित या (पश्चिम बंगाल) उपक्रम का नाम और पता भी बनाम मल्लभूम ग्रामीण बैंक इम्प्लाइज एम्प्लोयर्स एसोसिएशन बाकुरी, (पश्चिम बंगाल)

(3) प्रभावित उपक्रम में नियोजित 50 कर्मकारों की कुल संख्या

(4) विवाद द्वारा प्रभावित या एक सम्भाव्यतः प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या।

हम यह करार भी करते हैं कि माध्यम्यम श्री एम.जी.० वानरे क्षेत्रीय श्रमसुख (केन्द्रीय) आसनसोल का विनिश्चय हम पर बाध्यकारी होगा माध्यम्यम को अपना विनिश्चय करार के हस्ताक्षर की तारीख से 60 दिन के अन्दर दे देना चाहिए।

नियोजकों का प्रतिनिधित्व करने वाले ह.० अजित कुमार घोष
कर्मकारों का प्रतिनिधित्व करने वाले ह.० सुकुल कुमार रे
साक्षी 1. १० ए.० के.० राय
श्रम प्रवर्तन अधिकारी (के) आसनसोल

2. ह.० एन.० के.० घोष
श्रम प्रवर्तन अधिकारी (के) आसनसोल

[मं० एन-12012(160)/8 II (ए)],

ORDER

New Delhi, the 9th August, 1983

S.O. 4217—Whereas an industrial dispute exists between the employers in relation to the management of Mallabhum Gramin Bank, Bankura and their workmen represented by Mallabhum Gramin Bank Employees' Association;

And whereas, the said employees and their workmen have by a written agreement under sub-section (1) of section 10-A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government under sub-section (3) of section 10-A of the said Act, a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of section 10A of the said Act, the Central Government hereby publishes the said agreement;

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Representing the employers Mallabhum Gramin Bank,
P.O. & Distt. Bankura (W.B.)
Representing the workmen Mallabhum Gramin Bank
Employees Association,
P.O. & Distt. Bankura (W.B.)

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri M.G. Wanare, Regional Labour Commissioner (Central), 19/1, Apar Garden, Asansol-713 304.

(i) Specific matters in dispute :

"Whether Shri Tarani Dhar Mahato, Clerk-cum-Cashier, Mallabhum Gramin Bank, Bagunkudar Branch, Distt. Purulia is guilty of the charges levelled against him vide notice No. MGB/H.P./CH/1509/81 dated 17-3-1981 issued by the Bank particularly in the light of the domestic enquiry held by the bank management ?

It not, to what relief the workman concerned is entitled ?

(ii) Details of the parties to the dispute including the names and the names and address of the establishment or undertaking involved :

Mallabhum Gramin Bank, Bankura (West Bengal).

Vs

Mallabhum Gramin Bank Employees Association, Bankura (West Bengal)

(iii) Total Numbers of workman employed in the undertaking affected : 350

(iv) Estimated number of workmen affected or likely to be affected by the dispute one

We further agree that the decision of the Arbitrator Shri M.G. Wanare Regional Labour Commissioner (Central) Asansol, shall be binding on us. The Arbitrator should give his decision within 60 days of the signing of the agreement.

Representing Employers : Sd/—Ajit Kumar Ghosh
Representing the Workman Sd/—Maridul Kuamar Ray
Witnesses (i) A.K. Roy
L.E.O.(C), Asansol
Sd/—
(ii) N.K. Ghosh
L.E.O.(C), Asansol
[No. L-12012(160)/83-D.II (A)]

New Delhi, the 29th October, 1983

S.O. 4218—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi in the industrial dispute

between the employers in relation to the Punjab National Bank, New Delhi and their workmen which was received by the Central Government on the 25th October, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW

DELHI

I.D. No. 130 of 1981

In the matter of disputes between :
Shrimati Sarla Bachani,
Receptionist-cum-Telephone Operator
Punjab National Bank,
Parliament Street,
New Delhi.

AND

Punjab National Bank,
Parliament Street,
New Delhi.

PRESENT :

Workman in person with Shri T. A. Veeraswami Shri
Arun Verma for the Management.

AWARD

The Central Government, Ministry of Labour, vide Order No. L-12012/108/81-D, II(A) dated 31st August 1981, made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Punjab National Bank in relation to its Head Office, Parliament Street, New Delhi in not giving a chance to Mrs. Sarla Bachani, Receptionist-cum-Telephone Operator to compete for recruitment to the post of Reception Officer done in the year 1980, is justified ? If not, to what relief is the workman concerned entitled ?"

2. Mrs. Sarla Bachani was appointed as Receptionist-cum-Telephone Operator on 1-11-76 in the Punjab National Bank and has continued to serve as such.

3. The post of Reception Officer was advertised by the Management of Punjab National Bank in the year 1980 and the scale of that post was provided as Rs. 700-1800. The qualifications indicated were Graduate with English as main subject with preference for those who have completed secretarial course and minimum experience of 2 years as Receptionist was necessary for the post.

4. The Management did not allow Mrs. Sarla Bachani to compete for the post on the ground that she was of 42 years while the age limit was 35 years, for this post. She has claimed that under Para 529 of the 'Sastri Award' she is entitled to compete for this promotion post and the Sastri Award allows a reasonable relaxation in age to the working employee to compete for the higher post. Under the relaxation in upper age maximum relaxation for Scheduled Caste and Scheduled Tribe candidates is by a period of 5 years. The ex-servicemen were allowed the number of years spent in defence service under Compulsory Liability Scheme and persons of Indian Origin migrated from Sri Lanka and others were allowed relaxation in age by 3 years, but the relaxation in upper age limit was said to be cumulative.

5. In my opinion, the relaxation in age in the case of SC and ST candidates which is 5 years ought to be allowed to the workman employed with the Management, but when the Management refuses to relax 7 years in upper age limit for Mrs. Sarla Bachani, the action of the Management cannot be said to be unreasonable and Mrs. Sarla Bachani cannot make any grievance on that ground. A relaxation of 7 years of age would be rather on the higher side and the action of the Management of Punjab National Bank in not allowing relaxation of 7 years of age cannot be interfered with and cannot be said to be in contravention of para 529 of the Sastri Award which allows a reasonable relaxation for the working employees for competing for the higher post. The action of the Management in not allowing the workman, Mrs. Sarla Bachani to compete for the post of Reception Officer cannot be said to be unreasonable and unfair and cannot be interfered with.

6. The award is made in the terms aforesaid.
October 7, 1983.

Further ordered that the requisite number of copies of this award be forwarded to the Central Govt. for necessary action at their end.

October 7, 1983.

O. P. SINGLA, Presiding Officer
(No. L-12012/108/81-D, II(A))

S.O. 4219.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the Bank of Baroda Hazaratganj, Lucknow and their workmen, which was received by the Central Government on the 25th October, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 93 of 1981

In the matter of disputes between :
Shri A. K. Aggarwal

The General Secretary,
U. P. Bank of Baroda Employees' Union,
C/o Bank of Baroda, Latouch Road,
Kanpur.

AND

Bank of Baroda,
Lucknow.

PRESENT :

Shri S. S. Sethi—for the Management.
None—for the workman

AWARD

The Central Government, Ministry of Labour, vide Order No. L-12012/132/80-D.II.A dated 21st July, 1981 made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Bank of Baroda, Hazaratganj, Lucknow, in terminating the services of Shri A. K. Aggarwal, Accounts-cum-Cash Clerk with effect from 5-4-79 is justified ? If not, to what relief is the workman concerned entitled ?"

2. Mr. A. K. Aggarwal was appointed in the Clerical Cadre of the Bank as Accounts-cum-Cash Clerk by letter dated 25-9-78 and joined service at Allahabad on 6-11-78. He was served with a show cause notice regarding alleged shortage of Rs. 100/- in cash balance of the Branch on 2-1-79 by letter dated 5-1-79. He submitted his explanation. Thereafter some preliminary investigation was made by an Officer from the Regional Office. He was asked to improve his work by letter dated 20-1-79 and ultimately during probationary period his services were terminated w.e.f. 5-4-79. He claimed that under the 'Sastri Award', 'Desai Award' and 'bipartite settlement' of 1976, he could not be discharged by an order of simpliciter, because the allegations of misconduct were levelled against him and that termination of services was by way of punishment. He claimed reinstatement in service with full back wages.

3. The Management contested the claim and asserted that he was employed on probation for a period of six months and that his services were terminated during probationary period. He was not visited with disciplinary action and the services were terminated by simpliciter order of discharge on account of unsatisfactory work.

4. The workman had not completed 240 days' service with the Bank and was discharged during probation on adverse reports of his superiors and is not entitled to any relief and has not appeared in this Court either himself or through someone since 23-6-83. The Bank's representative informs that

after doing his Ph.D. he worked with C. M. Dubey Post Graduate College Bilaspur (M.P.) as Lecturer for the period 1-11-79 to 30-10-81 and thereafter has been employed as lecturer in the Deptt. of Commerce, in Kamla Nehru Institute of Science & Technology, Sultanpur (U.P.).

5. The workman has not been able to substantiate his case of disciplinary action against him and he had not completed 240 days' service with the Bank and cannot swim into the harbour of Section 25-F of the I.D. Act. He is not entitled to any relief. Accordingly, an award is made.

Further ordered that the requisite number of copies of this award be forwarded to the Central Government for necessary action at their end.

October 13, 1983.

O. P. SINGLA, Presiding Officer.

[No. L-12012/132/80-D.II.A]

S.O. 4220.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the Benaras State Bank Limited, Varanasi and their workmen which was received by the Central Government on the 25th October 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI
I.D. No. 135 of 1981

In the matter of disputes between :

Shri Jai Ram Dass Aggarwal

through,

Secretary, U.P. Bank Employees Federation,
26/104 Birhana Road, Kanpur.

Versus

General Manager,
Benaras State Bank Ltd.,
Head Office, Luxa Road,
Varanasi.

PRESENT :

Shri Jagat Arora—for the Management.

None—for the workman.

AWARD

The Central Government Ministry of Labour, vide Order No. L-12012/165/81-D.II(A) dated 8th September, 1981 made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the Management of Banaras State Bank Ltd. Head Office Varanasi in reappointing Shri Jai Ram Das Aggarwal, Clerk and regularising him without giving him the benefits of his past services is justified? If not, to what relief is the workman concerned entitled?"

2. The workman was appointed in the Bank as Clerk w.e.f. 1-1-1973 and continued as such till 31-12-1973. His services were terminated and he challenged termination of service.

3. In conciliation proceedings in 1980, the Management offered to accept Jai Ram Dass Aggarwal in the employment of the Bank as Clerk and also to grant him one additional increment in view of his past service, on the ground that this benefit had been extended to all those employees who had completed 240 days attendances in 12 calendar months.

4. By virtue of this offer of the Management he was taken again in the employment of the Bank w.e.f. 15-11-80. He has claimed that he is entitled to be treated in continued service from the date of his termination till 15-11-80 and claimed back wages for this period, on account of non-compliance with Section 25-F of the Industrial Disputes Act.

5. The Management contested the claim and asserted that his permanent employment w.e.f. 15-11-80 was in accordance with the offer made in conciliation proceedings before the Assistant Labour Commissioner (Central), Agra, and both the Management and the workman are bound by that offer; and, while accepting the appointment, the workman did not object to the letter of re-appointment dated 23-10-80 and did not raise any claim for back wages at that time, and therefore, no dispute could be raised now between the parties.

6. It seems to be that the Management's contention is correct and the workman could have raised objections or made his claim for other benefits either at the time or before joining service on 15-11-80, on the terms offered to him vide letter dated 23-10-80, when that letter was issued on express offer made before the Assistant Labour Commissioner (Central), Agra on 5-5-80. Accordingly the dispute raised by the workman is not competent and he is not entitled to any relief.

October 12, 1983

O. P. SINGLA, Presiding Officer

[No. L-12012/165/81-D.II.A]

S.O. 4221.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi in the industrial dispute between the employers in relation to the Punjab National Bank, Bulandshahar Branch, Kanpur and their workmen, which was received by the Central Government on the 25th October, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NEW DELHI

I.D. No. 90 of 1983

In the matter of disputes between :

Shri S. C. Aggarwal,
128/42 'H' Kidwai Nagar, Kanpur

AND

Punjab National Bank,
Vivha Nagar, Agra.

PRESENT :

Shri T. A. Vecraswami—for the workman.

Shri Arun Verma—for the Management.

AWARD

The Central Government Ministry of Labour, vide Order No. L-12012/242/81-D.II(A) dated 19th March, 1982 made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Punjab National Bank in relation to their Bulandshahar Branch in terminating the services of Shri S. C. Aggarwal, Clerk at Bulandshahar Branch with effect from 12-3-73 is justified? If not, to what relief is the workman concerned entitled?"

2. The matter has been settled between the parties and a joint application has been filed by the parties containing the terms of settlement which are given in the Annexure to this award. The settlement appears to be free and fair and an award in terms of that settlement is made and will govern the workman Shri S. C. Aggarwal and he shall be deemed confirmed appointee on the basic pay of Rs. 385 in the grade of Rs. 325-1040 and without any benefit monetary or otherwise in any shape or form in respect of his past service. The other terms of settlement shall also be binding between the parties.

Further ordered that the requisite number of copies of this award be forwarded to Central Government for necessary action at their end.

October 7, 1983

O. P. SINGLA, Presiding Officer.

[No. L-12012/242/81-D.II(A)]

ANNEXURE

BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, NEW DELHI

Reference No. 30/83 U/S 10(I)(D) of ID Act, 1947

In the matter of

ID 12012/242/81-D.II(A) Dated 19th March, 1982

BETWEEN

Management of Punjab National Bank.

AND

Shri S. C. Agarwal, Ex-Clerk, P.O. Bulandshahr

Joint Application filed by the Parties.

Most Respectfully :

The parties to the above dispute submit that the matter has
been amicably settled on the following terms :—

Terms of Settlement

(1) That the bank without prejudice to its various conten-
tions agrees to appoint Shri S. C. Agarwal as a confirmed hand
in clerical cadre of the Bank with Composite Designation on
basic pay of Rs. 395/- in the grade of Rs. 325-20-405-25-455-
30-545-35-580-40-660-45-750-50-800-60-1040.

(2) That the workman will not be entitled to any benefit
monetary or otherwise in any shape or form in respect of his
past service or the period intervening between the date of
his termination and the present re-appointment.

(3) That Shri S. C. Agarwal will be deemed to have been
appointed as a confirmed hand in the service of the bank
from the date on which he reports at the office of his posting
i.e., Punjab National Bank, P.O. : Hathras, U.P. after obtaining
a clean discharge certificate from his present employer, if
any.

(4) That the additional increment given to the subject
consequent upon his appointment shall be treated as ad-hoc
increment and shall be ignored for purposes of determination
of length of service to be calculated for the purpose of priority
list to be prepared in terms of Settlement No. 2/13 dated
16-6-73 arrived at between the Bank and All India PNB
Employees' Federation.

(5) That this Settlement has been arrived at having regard
to the peculiar facts and circumstances of the case and this
Settlement shall not be cited as a precedent by any parties
before any forum.

In these circumstances it is humbly prayed that your
Lordship may kindly be pleased to approve the above terms
of compromise and dispose off the reference by passing an
Award in terms of the joint petition of agreement.

And for this act of kindness, your petitioners, as in duty
bound, shall ever pray.

Representing Workman

Sd/-

(S. C. Agarwal)

Workman Concerned

Sd/-

(P. C. Jain)

Vice-President

All India PNB Staff

For & on Behalf of

Punjab National Bank

Sd/-

(C. K. D. Gowda)
Manager Personnel

Sd/-

(K. K. GUPTA)
Manager—IR

WITNESSES

Sd/-

(N. S. PARMAR)

Steno/Typist

Personnel Division

Punjab National Bank

HO : New Delhi.

Sd/-

(B. K. SABHARWAL)

Accountant

Personnel Division

Punjab National Bank

HO : New Delhi

Place : New Delhi.

Date : September 30, 1983

S.O. 4222.—In pursuance of section 17 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby publishes the following award of the Central Govern-
ment Industrial Tribunal New Delhi in the industrial dispute
between the employers in relation to the Hindustan Commer-
cial Bank Limited, Kanpur and their workmen, which was
received by the Central Government on the 25th October,
1983.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :
CENTRAL GOVT. INDUSTRIAL TRIBUNAL : NEW
DELHI

I.D. No. 65 of 1983

In the matter of dispute between :

Shri Vijay Narain Singh

through

General Secretary,

All India Hindustan Commercial Bank Employees

Association, 26/104 Birhana Road, Kanpur.

Versus

Hindustan Commercial Bank Limited,

Head Office,

Birhana Road,

Kanpur.

PRESENT :

Shri J. C. Dhawan—for the workman

Shri Shiv Singh—for the Management.

AWARD

1. The Central Government, Ministry of Labour, vide
Order No. L-12012/343/81-D.II.A. dated 31st May, 1982
made the reference of the following dispute to this Tribunal
for adjudication :—

"Whether the action of the management of Hindustan
Commercial Bank Limited Head Office, Birhana
Road Kanpur in not allowing officiating promotion to
Shri Vijay Narain Singh as Daftry is justified ?
If not, to what relief is the workman concerned
entitled ?"

2. The dispute between the parties has been amicably
settled and the Management of Hindustan Commercial Bank
Limited has agreed to promote Shri Vijay Narain Singh on
the post of Daftry w.e.f. 1-4-83 and from this date the work-
man will be allowed the benefits and pay for the post of
Daftry and Mr. Vijay Narain Singh has agreed not to claim
any benefits or pay etc. including seniority for the post of
Daftry for the period prior to 1-4-83.

3. The award is made in terms of settlement between the
parties which settlement appears to be free and fair.

October 7, 1983.

O. P. SINGLA, Presiding Officer.

[No. L-12012/343/81-D. II. A]

New Delhi, the 31st October, 1983

S.O. 4223.—In pursuance of section 17 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby publishes the following award of the Central Govern-
ment Industrial Tribunal, Calcutta in the industrial dispute
between the employers in relation to the Bank of India,
Neamatpur, Burdwan and their workmen, which was received
by the Central Government on the 27th October, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
CALCUTTA

Reference No. 12 of 1979

PARTIES :

The management of Bank of India,
Neamatpur, Burdwan

AND

Their Workmen

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES :

On behalf of Management—Mr. K. K. Sarkar, Industrial Relations Officer.

On behalf of Workmen—Mr. Amitava Roy, Vice-President of the Union.

STATF : West Bengal

INDUSTRY : Banking

AWARD

The Government of India, in the Ministry of Labour by their Order No. L-12012/103/79-D.II.A dated 2nd March 1979 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Bank of India Neamatpur Branch, P.O. Neamatpur, Distt. Burdwan in denying three fourth of the pay commencing from the 16th stage in the scale of pay applicable to sweepers in the Bank to Shri Chhattu Harijan, Part-time Sweeper with effect from May 8, 1978 is justified ? If not, to what relief is the workman concerned entitled ?"

2. The working hours of Chhattu Harijan, a Part-time Sweeper were enhanced from 6-13 hours in a week to more than 19-29 hours per week from 8 May 1978 and on this ground he claims 3/4th of the scale of pay which was Rs. 176 at the 16th stage of the scale wages applicable to full-time sweepers in the bank, but the bank fixed his pay only at Rs. 87, the same being 3/4th of Rs. 116 the initial amount of the scale pay. The question is whether this action of the bank of India is justified. The answer in my opinion should be in the negative.

3. Admittedly sweepers are "subordinate staff" they are governed by the pay scales as prescribed by Sastri and Desai awards and by the provisions of bipartite settlement. As per Desai award as well as the first bipartite settlement Neamatpur branch was classified under Area II of the bank and the scale of pay as applicable to subordinate staff in Area II as per Desai award and first bipartite settlement were respectively as below :

(i) Desai award—80-2-86-1-102-EB-1-107.

(ii) First bipartite settlement—Part I (Bank of India)

Area II—92-2-100-3-118-4-154.

The scales of pay of full time subordinate staff as per clause 7 of the Second Bipartite Settlement dated 12 October 1970 are as follows :

116	—3—	131	—4—	151	—5—	181	—6—	193	—7—	200
1	5	5	6	2	1					

The same pay scales and no other are applicable to Part-time sweepers also, but they get only proportionate wages in the said scale of pay which vary with the change in hours of duty per week as prescribed in the Bipartite settlement. The relevant provision in this respect is in para 9(b) of the second bipartite settlement dated 12 October 1970 which is as below :

"Part-time workmen who are members of the subordinate staff shall be paid :

If their normal total working hours per week are :
Up to 3 hours—at Bank's discretion.

More than 3 hours but less than 6 hours—at Bank's discretion but with a minimum of Rs. 25 per month.

6 hours to 13 hours—One-third of the scale wages with proportionate annual increment.

More than 13 hours to 19 hours—One-half of the scale wages with proportionate annual increment.

More than 19 hours to 20 hours—Three-fourth of the scale wages with proportionate annual increment.

Beyond 29 hours—Full scale.

Explanation :

For the purpose of sub-clauses (a) and (b) above, the expression "scale wages" shall mean basic pay, City Compensatory Allowance (as per clause 11 below),

if any, special House Rent/other allowances, if any, and dearness allowance payable under this Settlement to full time workman."

The second bipartite settlement came into force with effect from 1 January 1970. It is clear that the wages of part-time workmen who belong to subordinate staff depend upon their hours of work per week. As regards the refixation of wages of a Part-time workman, clause 16 of the second bipartite settlement is relevant and that clause runs as under :

"In supersession of clause 4.9 and 20.5 of the Bipartite Settlement dated 19th October 1966, the existing part-time workmen in the respective Areas shall be fitted where full time workmen at the same existing stages in the same Areas are fitted into the new scales and thereafter be paid proportionate wages in terms of clause 9 above."

4. It is to be noted that the calculation of wages of a part-time workman is correlated to the scale wages of a full time workman. To illustrate, if a part-time sweeper is appointed for a period of 6-13 hours of work per week he is entitled to 1/3rd of the said scale wages prescribed for subordinate staff while if he is appointed for more than 13-19 hours per week he is entitled to 1/2 of the said scale wages. Similarly, if the working hours are more than 19 to 29 hours he will be entitled to 3/4th of the scale wages with proportionate annual increment. It is an admitted fact that from 8 May 1978 the duty hours of Chhattu Harijan were increased from 6-13 hours to more than 19-29 hours and so he will be entitled to 3/4th of the scale wages as per paragraph 9(b) of the second bipartite settlement dated 12 October 1970 quoted above. There can therefore be no question of refixing or refitment of the pay scale at the bottom of the said scale of pay Rs. 116 as already shown is the bottom scale of the scale wages. From the facts on record it is clear that the full time sweepers who had been appointed in 1966 were in the 16th stage of the pay scale and so also was Chhattu Harijan who was appointed in 1966. It may be noted that his previous stages in the pay scale prior to the introduction of the second bipartite settlement of 1970 cannot be wiped out. That is protected by clause 16 of the second bipartite settlement quoted above. Question of refitment or refixation of the basic pay is relevant only when an employee is required to be fitted from one pay scale to another pay scale. Such refixation of the basic pay arises in the case of full-time workman. So far as part-time workmen are concerned, they get their proportionate wages in relation to the wages drawn by regular and full-time workman. In this case there is no doubt that the full-time workmen who were appointed in 1966 or earlier had reached the 16th stage of the scale wages and their basic pay was Rs. 176. Chhattu Harijan therefore will be entitled to 3/4th of the same when his working hours were enhanced to more than 19-29 hours per week.

5. Sri Sarkar appearing for the Bank of India divides the Part-time workers into five categories :

- Part-time workmen working upto 3 hours a week;
- Part-time workmen working for more than 3 hours but less than 6 hours a week;
- Part-time workmen working for more than 6 hours but less than 13 hours a week;
- Part-time workman working for more than 13 hours but less than 19 hours a week;
- Part-time workmen working for more than 19 hours but less than 29 hours a week;

His contention is that when a workman is posted from one category to another he starts at the initial stage of his scale wages applicable to that particular category protecting his existing wages. He illustrates his contention by submitting that a full-time subordinate staff if promoted to clerical cadre will start at the bottom of scale wages applicable to clerical category and if a clerical employee is promoted to officer's category, he will start at the beginning of the scale wages applicable to officer's category. He further submits that if a Part-time subordinate staff working in (b) category is posted in (c) or Part-time employee posted in (c) to (d) sub-category he will be given scale wages at the initial stage of scale wages applicable to (c) and (d) sub-categories respectively similarly a part-time clerk is placed at the initial stage of pay scale when appointed as a full-time clerk. In my opinion the argu-

ment is wholly based on misconception. All his illustrations relate to promotion. A part-time workman is not promoted as and when there is enhancement of his duty hours. He remains a part-time sweeper all along. The contention of Sri Sarkar is not supported by any provision of the bipartite settlement. There is no question of posting a part-time sweeper from one category to another category. His status continues to be the same though there is increase in his working hours. Even MW1 Sri P. K. Mukherjee at page 4 of his deposition has said that the enhancement of working hours has never been considered a promotion like sub-staff to clerk or clerk to officer. The witness has further said that in case of promotion of a clerk to Officer or from sub-staff to clerk the scale change but in case of part-time sweepers only his earlier salary is protected as per terms of the bipartite settlement i.e. fitment of salary on the basis of the scale wages. Thus the evidence of the management's own witness is against the contention which is advanced before this Tribunal. The contention therefore must be repelled.

6. His second contention is that a part-time sweeper cannot be equated with the full-time sweeper. He submits that the increment in the scale of pay necessarily depends upon the period of service required to be put in by an employee and where an employee is required to work only a part of the day and he is also paid proportionately depending upon his hours of work, it will be unthinkable to equate his total period of part-time service with the total period of full-time service put in by a full-time employee. He has further submitted that it is a normal practice that if an employee remains absent without sanctioned leave, apart from the fact that he is not allowed any wages for the period of absence, his increment is postponed. In my opinion the argument is a confused one. There is no question of equating the total period of part-time service with the total period of full-time service put in by a full-time employee. The question which arises in this case is as to whether a part-time sweeper will be entitled to 3/4th of the scale wages as provided in clause 9(b) read with clause 16 of the Second bipartite settlement. Hence the argument is not valid.

7. His third contention is that reference to clause 16 of second bipartite settlement by the union is irrelevant and misleading. Sri Sarkar submits that under that clause it is provided that while fixing the wages under the second bipartite settlement a part-time employee shall be fitted where the full-time workman at the same stage was fitted. His contention is that clause 16 was made only for the purpose of fitment and it does not provide anywhere that on enhancement of the working hours of the part-time employee, he will be fitted at the same stage at which he was working before the enhancement of his hours of work and consequent increase in his scale wages. This argument also is not correct. Clause 16 as already quoted earlier in this award clearly states existing part-time workman shall be fitted where full-time worker at the same existing stage are fitted into the new scales and thereafter he shall be paid proportionate wages in terms of clause 9. It is thus clear that clause 16 has to be read with clause 9 and if so read it clearly supports the contention of Sri A. Roy, appearing for the union that the part-time sweeper is entitled to 3/4th of the scale wages as existing at the particular stage of the scale pay.

8. His fourth contention is that the provisions of Section 9A of the Industrial Disputes Act do not apply to the facts of this case. I do not agree. The management of the bank of India has certainly changed the condition of service of the part-time sweeper as embodied in clause 9(b) read with clause 16 of the second bipartite settlement. Section 9A therefore applies and the order of the management is bad for non-compliance of that section.

9. My attention has also been drawn to clause 31 of the second bipartite settlement which runs as under.

"If any doubt or difficulty arises regarding interpretation of any provision of this settlement, the matter will be taken up only at the level of Indian Bank's Association and the All India Bank Employees Association for discussion and settlement".

Sri Sarkar contends that it was premature on the part of the union to raise the present dispute on such a issue which may affect the entire banking industry in the country and

if there was any doubt or difficulty regarding interpretation of any provision of the settlement the same ought to have been taken up only at the level of Indian Bank Association and All India Bank Employees Association at the first instance as provided in clause 31 of the Second bipartite settlement interpreting any of the clauses of the Second bipartite settlement and hence this contention is not good.

10. Sri Sarkar also drew my attention to the evidence of MW-1 P. K. Mukherjee who has deposed, "The basic criteria in regard to fitment of wages consequent upon changes in working hours is on the basis of scale wages and not on the basis of years of service. Scale wages means basic pay, dearness allowance CCA if admissible, HRA if admissible to a full time workman that when the duty hours are changed distinct appointment takes place. Enhancement of working hours and corresponding salaries are distinct terms of employment in regard to part-time sweepers." I am not prepared to accept this evidence as proper. There is no fresh employment merely because hours of work are enhanced. Further the length of service cannot be ignored because when increment are given in scale wages the years are certainly taken into account. I therefore think that this evidence is not satisfactory and cannot be relied upon.

11. In this connection I would like to refer to the evidence of this very witness at page 2. The question was put him :

"Mr. Mukherjee please tell as per Annexure A admittedly signed by you as on 9-5-1977 whether Mr. Chhattu Harijan was getting basic pay of Rs. 58.67 which is 1/3rd or 176 i.e. the 16th stage of the pay scale applicable to him which commences from Rs. 116 ?

The answer of this witness is as follows :

"After the second bipartite settlement of 1970 Sri Chhattu Harijan was fitted at a basic pay of Rs. 58.67 on 9-5-1977. There is no scope of stage to stage fitment in regard to the policy embodied in the bipartite settlement for part-time sweepers. The appointments with the change in the duty hours are separately distinct with previous working hours. So there is no scope of pointing out at what stage he was on 9-5-1977 i.e. prior to his enhancement of working hours."

Another question was put :

"Mr. Mukherjee what you have written in Annexure A under the column stage-wise basic pay as on 9-5-77 ?"

The witness answered :

"Stage-wise basic pay is fixed in case of full time employees, if salary is fixed for part-time employees it must be assumed first the basic pay of a full time employee otherwise how 1/3rd of basic, 1/2 of basic or 3/4th of basic will be calculated and for this reason this stage-wise basic pay was written just to indicate at what basic pay he was fixed consequent upon the increase in duty hours."

It is clear from the answer of this witness that on 9th May 1977 the concerned part-time sweeper, namely, Chhattu Harijan was getting 1/3rd of the scale wage Rs. 176. If in the year 1977 he got 1/3rd of Rs. 176 it is not understandable why he will get wages in 1978 in relation to a smaller amount namely, Rs. 116. Sri Sarkar submitted that his previous wages namely Rs. 58.67 P was less than Rs. 87 and so his previous wage has been protected. In my opinion it is not a real protection of his earlier wage. The main contention between the parties is that wages have to be calculated by reference to the scale wages at a particular stage. The earlier wage was fixed in 1977 with reference to Rs. 176 but the latter was fixed with reference to Rs. 116. That in my opinion is against the provision of clause 9(b) read with clause 16 of the Second bipartite settlement.

12. Sri Sarkar also drew my attention to clause 20.5 of the first Bipartite Settlement 1966 which is as follows :—

"Banks will be free to readjust the working hours of the existing part-time workmen. Provided that—

- (a) the proportion of a workman's existing wages to the wages of a full-time workman in the appropriate cadre at the same stage in the existing scale, and
- (b) his existing total wages are not adversely affected' Suffice to say that this provision has been deleted by the Second bipartite settlement.

13. On a consideration of the materials on record my concluded award is that the action of the management of the Bank of India, Neamatpur Branch, P. O. Neamatpur, Distt. Rudwan in denying 3/4th of the scale wages commencing from the 16th stage in the scale of pay applicable to sweepers of the Bank, to the concerned part-time sweeper Chhattu Harijan with effect from May 8, 1978 is not justified. It follows that the concerned workman Chhattu Harijan is entitled to get his wages from the 16th stage in the scale wages applicable to full time sweepers at that stage with effect from 8th May 1978 and the management must pay the same to him without any delay.

Dated, Calcutta,

The 10th October 1983.

M. P SINGH, Presiding Officer
[No. L-12012(103)/78-D-II(A)]

S.O. 4224.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the State Bank of India, Parliament Street, New Delhi and their workmen, which was received by the Central Government on the 26th October, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

In the matter of disputes between:

I.D. No. 63 of 1977

Shri Shyam Babu

I.D. No. 70/77

1. Shri Mahendra Nath Pande
2. Shri Abhey Beer
3. Shri Niranjan Pal Singh
4. Shri V. K. Mehrotra
5. Shri B. K. Girdhar
6. Shri N. K. Singh
7. Shri R. D. Pandya
8. Shri Rakesh Gupta
9. Shri V. K. Srivastava
10. Shri B. B. Thukral
11. Shri M. M. L. Aggarwal
12. Shri V. K. Girdhar
13. Shri S. D. Chaturvedi
14. Shri Rakesh Kumar Kulshreshtha

I.D. No. 141/77

Shri S. K. Vashist.

VERSUS

State Bank of India,
Regional Manager,
Parliament Street,
New Delhi.

APPEARANCES :

- Shri C. R. Somasekharan and Mr. Harish Dhall—for the Management.
Shri N. C. Sikri—for Mr. Shyam Babu.
Shri B. S. Charya—for Mr. S. K. Vashist.
Shri S. P. Sehgal—for other workmen.

AWARD

1. The cases of these 16 workmen are dealt with together because my predecessor-in-office, Shri Mahesh Chandra, by 990 GI/83—6

order dated 7th November, 1978 ruled that common questions of law and fact arose in these three references and for that reason, they were consolidated and that evidence would be recorded in "Mahindra Nath Pande and others Vs. State Bank of India" being I.D. No. 70/77.

2. The State Bank of India held an examination for filling of vacancies in the clerical cadre in the employment of State Bank of India. The written test was held on 6th November, 1973 at Aligarh. All these 16 workmen were declared successful in the test and except Mr. S. K. Vashist were appointed as a result of that test in the clerical cadre of the Bank. Mr. S. K. Vashist secured employment as Agricultural Assistant on the basis of an earlier test in which he appeared in July, 1973.

3. The Management suspected that unfair means were used in the test at Aligarh by the workmen and for that reason terminated their services on the ground of loss of confidence in them. The services of 14 workmen, S/Shri Shyam Babu, Mahendra Nath Pande, Abhey Beer, Niranjan Pal Singh, V. K. Mehrotra, B. K. Girdhar, N. K. Singh, R. D. Pandya, Rakesh Gupta, V. K. Srivastava, B. B. Thukral, M. M. L. Aggarwal, V. K. Girdhar and S. D. Chaturvedi were terminated on 5th August, 1974. The services of Shri Rakesh Kumar Kulshreshtha were terminated w.e.f. 30th September, 1974. Shri S. K. Vashist was removed from service on 15th May, 1976. All these workmen asserted that the action of the Management in terminating their services by order simpliciter was, in essence, a penal action without issue of any show cause notice to them and without giving them an opportunity of being heard. The action was taken for alleged misconduct in participation in mass-copying in the test held on 6th November, 1973. They characterised the Management's action as arbitrary and unwarranted, visiting them with penal consequences.

4. These workmen contested the termination of their services and the matter was taken up in conciliation and ultimately, the Government of India, Ministry of Labour made three references to the Industrial Tribunal, Delhi. The first Reference was made on 7th July, 1975 vide Order No. L-12012/8/85-D.II.A in the case of Shyam Babu. The second reference was made on 25th July, 1975 vide Order No. L-12012/142/74-IR-III in respect of 14 workmen, Mr. M. N. Pande and 13 others. The third Reference was made on 27th June, 1977 vide Order No. L-12012/21/77-D.II.A in respect of Mr. S. K. Vashist, Agricultural Assistant at Aligarh Branch of the Management.

5. The case of Mr. S. K. Vashist is separate from that of others on facts in the manner that Mr. S. K. Vashist got appointment as an Agricultural Assistant on the basis of the test conducted in July, 1973 and not on the basis of the test conducted by the Bank in November, 1973. He was not appointed in the Clerical Cadre, but was appointed as an Agricultural Assistant w.e.f. 1st January, 1974. He had appeared in the test held on 6th November, 1973 at Aligarh and qualified, but did not appear for the interview for the appointment as a Clerk. His services were terminated because one Mr. O. P. Tiwari's services were terminated who was appointed as a Godown Keeper and Mr. O. P. Tiwari challenged the termination of his services in High Court. To obviate a charge of Mr. O. P. Tiwari, services of Mr. S. K. Vashist was also terminated under para 522(1) of 'Sastry Award' read with relevant provisions of 'Desai Award' and 'bi-partite settlement' of 31st March, 1967. The workman had been confirmed in the employment of the Bank after the period of probation and was a confirmed employee at the time his services were terminated vide letter dated 15th May, 1976.

6. Shri Shyam Babu and Mr. S. K. Vashist have challenged the termination of services as being contrary to the provisions of Section 25-F of the Industrial Disputes Act, 1947 on the ground that they were not paid any retrenchment compensation. Mr. Shyam Babu claimed that including his service as a Godown Keeper in the Bank, he had put in 919 days service before termination of his services by the Bank and Mr. S. K. Vashist claimed that he had put in more than 2 years service as an Agricultural Assistant before termination of services and that non-compliance with the provisions of Section 25-F of the I.D. was fatal to the order of termination and the termination order was bad ab initio for such non-compliance.

7. On facts, Mr. Shyam Babu's case is differentiated from the case of others on the ground that it was not referred to the Inquiry Committee set up by the Bank and the Inquiry Committee did not examine his case. He was not called for re-test which was held by the Committee for candidates who were suspected of having used unfair means in the test held on 6th November, 1973. Mr. Mahendra Nath Pande and Mr. R. K. Kulshreshtha appeared in the first session of the test held at Aligarh on 6th November, 1973 and their case is that the allegation of using unfair means in the examination was confined to second-session and did not refer to the test conducted in the first-session on 6th November, 1973. There was no basis whatsoever for the view that either of them helped others in having used unfair means in the second session and on more conjectures, no reasonable suspicion or view could be founded and there was clear lack of care and caution. Mr. M. N. Pande was included in the list of those whose services were to be terminated under the wrong belief that he appeared in the second-session's test on 6th November, 1973 and when Mr. M. N. Pande of the first-session was turned out, Mr. B. K. Kulshreshtha was made to follow suit on the ground that there should not be any discrimination between them because their answer-books contained the same wrong answers.

8. In addition to the inquiry conducted by the two officers of the Bank, the Management also referred the case to the National Institute of Bank Management who prepared the question papers and Dr. A. S. Deshpande, Professor of that Institute made a study of the answers of the candidates at the examination and found 8 or more than 8 identical wrong answers with these 16 examinees. In his opinion 8 wrong answers indicated that they had access to unfair means and the accidental possibility of 8 wrong answers being the same was one is to (25)²⁸ which is equal to one followed by 17 zeros, which may be considered practically insignificant.

9. The Management acted on the report of the Inquiry Committee and of Dr. A. S. Deshpande of the National Institute of Bank Management and terminated the services. The question to be decided is whether the action of the Management is justified and if so, whether it is justified in the case of all the employees whose services were terminated or only in the case of some of them.

10. The evidence led by the parties has been recorded and the arguments of the representatives of the parties have been heard at great length.

11. There is a decision of the Presiding Officer of National Industrial Tribunal, Bombay by Hon'ble Mr. Justice C. T. Dighe in Reference No. WTB-1 of 1979 in the award dated 4th December, 1981 published in Gazette of India, Part II, Section 3, Sub-section (ii) dated 16th January, 1982. The National Industrial Tribunal was dealing with the dispute between the Management of the Reserve Bank of India and their Class III employees. Regulation 25(2) of the Staff Regulations of the Reserve Bank of India allowed the Bank to determine the services of an employee after giving him notice or pay in lieu thereof. The National Industrial Tribunal examined the case law on the point including the Supreme Court's judgment in "State Bank of India Vs. Sundermani" reported in 1976 1 LLJ 478, "Hindustan Steel Limited Vs. State of Orissa" reported in 1977 1 LLJ page 1; "Santosh Gupta Vs. State Bank of Patiala" reported in 1980 11 LLJ 72; and "Mohan Lal Vs. Bharat Heavy Electricals Limited: 1981 11 LLJ 70." The National Industrial Tribunal came to the conclusion that the conflict between the Staff Regulations and the special legislation, Industrial Disputes Act, 1947 should be resolved in the manner that they should yield to the provisions of Section 25-F of the Industrial Disputes Act and the staff regulations granting power to terminate the services should be subject to Section 25-F of the Industrial Disputes Act in respect of workmen governed by the said Act. His Lordship referred to the ruling in "L.I.C. Vs. D.J. Bahadur, reported in 1981 1 LLJ 1" where the provisions of Section 25-F of the I.D. Act were made to govern the provisions of the L.I.C. Act.

12. In view of this position of the law, the provisions of 'Sastrv Award' modified by 'Desai Award' and 'Bi-partite Settlement' have also to yield to the statutory provisions contained in Section 25-F of the Act and the action under that provision must be subject to the observance of the provisions of Section 25-F of the I.D. Act, 1947.

13. In the case of Mr. S. K. Vashist, the provisions of Section 25-F are clearly and equivocally attracted. He had been in the employment of the Bank as Agricultural Assistant for more 2 years and was a confirmed employee and his services could not be terminated without following the requirements of Section 25-F of the Act and the same not having been complied with, the order of termination of services made on 15th May, 1976 is void ab-initio.

14. In the case of Mr. S. K. Vashist, there are substantial reasons showing lack of care and caution on the part of the Management. Mr. Vashist had not only 11 identical wrong answers, but he had three different wrong answers and one different right answer, and Dr. Deshpande, the Expert, did not examine the impact of this additional pattern in the case of Mr. S. K. Vashist. Further, Mr. S. K. Vashist had passed the examination earlier in July, 1973 and if he passed the examination later held in November, 1973, it should be surprise, and his passing of the examination cannot be attributed to his having used unfair means. It cannot be said that he had secured employment on the basis of the test conducted in November, 1973. He did it on the basis of result of the test held in July, 1973. These are additional grounds for holding that the Management did not act bona fide in terminating his services. He had not secured his employment with the Bank on the basis of the test held in November, 1973 and did not appear for the interview for the Clerical-Cadre, for which the test was conducted in November, 1973.

15. In the case of Shyam Babu, the Management contests the applicability of Section 25-F of the I.D. Act and it is contended that his temporary service as Godown-keeper could not be added to his probationary service as a clerk, and he could not have been said to have worked for more than 240 days in the Clerical Cadre with the Management. Another plea raised is that the matter of termination being in contravention of Section 25-F of the Act was not raised in conciliation proceedings, and could not be raised for the first time before this Tribunal.

16. The contention of the Management is unacceptable on the basis of its own rules and regulations.

17. Chapter 7 of its Regulations dealing with the 'miscellaneous terms and conditions of Temporary Employees' in para 207 states that temporary employees may be granted annual increment for each period of twelve month's service. In computing such period, however, the breaks, if any, in service would be excluded and the date on which the increment would fall due would be fixed each year accordingly. Further, it is pointed out therein that in the case of temporary employees who have been absorbed permanently, the annual increment should be granted on the anniversary date of commencement of his temporary appointment computed as above and not from the anniversary date of his being placed on probation. The Bank's regulations clearly deal with continuity of service and counting of total period of service when temporary employee is absorbed permanently on his being placed on probation as is the case with Mr. Shyam Babu. Mr. Shyam Babu worked for 919 days excluding 17 days when there was a break. In the light of the foregoing Bank Regulations, the total service of 919 days is to be counted as service with the Bank and Section 25-F of the I.D. Act is held applicable to him. The termination of his service w.e.f. 5th August, 1974 is void ab initio.

18. The plea, that the violation of Section 25-F was not raised in conciliation, is insignificant and does not debar the workman from raising it in the Statement of Claim filed before this Industrial Tribunal when the issue referred to the Tribunal is the justification for the action taken by the Management and the Management has to show that the action taken by it does not violate any applicable provision of law.

19. The Management referred to the judgment of Delhi High Court in the case of "O. P. Tiwari Vs. State Bank of India" passed in C.W. 322 of 1973 dismissing the writ petition on 2nd February, 1976. That judgment itself makes a distinction between the writ petition and proceedings before a Labour Court or an Industrial Tribunal and the learned Judge observed that in the case of an industrial dispute, the question about the material for loss of confidence can be gone into. In addition, this Judgment was given in 1976 before the law relating to "retrenchment" as understood in Industrial Law was evolved after the decision of the Supreme Court in "State Bank of India Vs.

Sundermoney" reported in 1976 I LLJ 478. The High Court's Judgment in the case of O. P. Tiwari (supra) is considered irrelevant to the present proceedings.

20. Additionally, Mr. Shyam Babu was not called for re-test and all those suspected of indulging in using unfair means at the examination were so called. In his evidence as M.W. 2, Shri O.P. Setia, Chief Manager, State Bank of India, stated that the name of Shyam Babu was not referred to him as one of the persons who had indulged in copying in the test.

21. Mr. M. N. Pande and Mr. R. K. Kulshrestha Roll Nos. 133 and 79 respectively were tested and appeared in the first session at Aligarh. They did not appear in the test along with other persons whose services were terminated who had appeared in the second session at Aligarh in the afternoon. A committee, consisting of S/Shri R. D. Kripalani and O. P. Setia, Staff Officers, was appointed to consider the matter. MW 2/1 is the report on the Aligarh test by S/Shri R. D. Kripalani and O. P. Setia, Staff Officer of the Bank. The report is dated 6th July, 1974 and they came to conclusion that in their opinion, there was external assistance available in the English Test paper in the second session and that no unfair means were available to the candidate, in the first session which was conducted in the normal manner without any assistance from any quarter. The Committee was wrongly of the view that only Mr. R. K. Kulshrestha Roll No. 79 sat in the first session whereas Mr. M. N. Pande Roll No. 133 also sat in the first session test for English Paper.

22. In respect of the second test, the Committee could not reach any definite conclusion, but believed that the answers by Mr. R. K. Kulshrestha of the first session were available to the 15 candidates in the second session test and were availed of by them. They specifically stated that they could not state with certainty how exactly common set of answers of English paper were available. They were only certain that common solutions of test were available to a large number of candidates in the second session. At one stage, they indicated their feelings that answers of Shri R. K. Kulshrestha might have been copied and smuggled out.

23. This view of the Committee was on the assumption that only Mr. R. K. Kulshrestha sat in the first session, whereas Mr. R. K. Pande also sat in the first session test, and the answers given by Mr. R. K. Kulshrestha and Mr. M. N. Pande were identical both in respect of right and wrong answers. Mr. R. K. Kulshrestha does not remain the only candidate with the answers which could be copied or used in the second-session test. Further, reference may be made to the note of Personnel Manager dated 6-9-74 where he has mentioned that, in addition to Mr. R. K. Kulshrestha and Mr. M. N. Pande, there was another source possible, because Dr. A. S. Deshpande had referred to one candidate, Mr. Kailash Chander Pahuja, who had given 11 out of 14 common wrong answers at Agra test two days earlier. The

Personnel Manager, in his note dated 6-9-74, indicated that they were examining the matter further.

24. Mr. R. K. Kulshrestha passed the re-test as well as parallel-test and passed them in 10 minutes each in place of 15 minutes allotted for the re-test and parallel-test.

25. The foregoing indicate that the Management could never conclude that Mr. R. K. Kulshrestha or Mr. M. N. Pande provided the wrong answers, which the candidate in the second-session at Aligarh test used or accepted. The whole thing is so much in the realm of possibility and guess, and no scientific or reliable evidence whatever was there to hold that Mr. R. K. Kulshrestha or Mr. M. N. Pande provided the answers or the assistance to the others appearing in the second-session. The action of the Management in believing Mr. R. K. Kulshrestha and Mr. M. N. Pande to be responsible for the answers given by candidates in the second session is wholly hypothetical and without any acceptable evidence whatsoever. Mr. R. K. Kulshrestha refused to give a statement in writing and he was turned out. Mr. M. N. Pande was turned out believing that he was in the first test. In any case both these persons were turned out for the wrong reasons and on arbitrary suspicion, without any definite credible evidence with the Management, and the action of the Management in terminating their services cannot at all be sustained. It is held that the answers of Mr. M. N. Pande and Mr. R. K. Kulshrestha reflected their own ability and they are not proved or shown to have been responsible for any assistance given to the candidates appearing in the English test in the second session at Aligarh. The Management appears to be wholly wrong in terminating their services on the basis of mere suspicion without any grounding in fact whatsoever. The orders of their termination of services are held vitiated for being both arbitrary and unfair.

26. There is another workman, Mr. Niranjan Pal Singh, who gave 8 identical wrong answers, but he gave 2 different right answers and 6 different wrong answers. Dr. A. S. Deshpande has not at all examined the impact of 6 different wrong answers on his conclusion. If Niranjan Pal Singh had a set of answers available with him, which he believed to be right, he would have copied it and would not give 6 different wrong answers and two different right answers. In his case the giving of 8 wrong answers cannot be said to be a sure or clear basis of his having indulged in use of unfair means and it cannot be said that this answers did not reflect his own ability termination of services of Niranjan Pal Singh Roll No. 161, also appears to be without credible basis and without scientific examination of his answer-sheets. Dr. A. S. Deshpande has committed a mistake in his case, in not understanding the impact of his two right and as many as 6 wrong different answers. The termination of service in his case is held vitiated and void.

27. The analysis of the answers of the other candidates is as under :—

S. No. of No. Candidates	Roll Nos. & Names of candidates	No. of Qs attempted out of the first 25Q's	No. of identical Qs with right (Same answers)	No. of identical Qs. with Identical wrong answers	No. of Qs. different right answers.	No. of Qs. different wrong answers	No. of Qs not attempted
1.	5	139 Vinod Kr. Srivastava 146 Baldev Krishna Girdhar 147 Ram Dutt Pandya 148 Bharat Bhushan Thukral 160 Narendra Kr. Singh	25	12	13	—	—
2.	1	244 Vijay Kr. Mehrotra	25	12	12	—	1
3.	1	240 Vinod Girdhar	25	12	11	1	—
4.	1	155 Abnay Vir	25	11	13	—	1
5.	1	199 Madan Lal Agarwal	25	11	11	1	2
6.	1	140 Rakesh Gupta	24	11	11	1	1
7.	1	149 Sukh Deo Chaturvedi	20	11	9	—	5

28. The above data is impressive and the opinion of Dr. A. S. Deshpande that the identical wrong answers of these workmen numbering 9 to 13 indicate use of common source of unfair means is acceptable. The opinion is not shaken in cross-examination and is on a scientific basis of calculation 1 to 2 different wrong answers out of 24 or 25 wrong answers would not shake his conclusion in any manner. In the case of Mr. Niranjan Pal Singh the number of identical wrong answers were 8 and number of different wrong answers were 6 and the wrong answers identical otherwise were rather balanced in a ratio of 8:6 and could not be basis for the conclusion of use of unfair means by Mr. Niranjan Pal Singh.

29. It is not possible to accept the view that these workmen have been turned out by way of punishment. The Management has only acted by way of terminating their services during probation on reasonable suspicion that they indulged in unfair means in the examination which led their appointment on probation and for that conclusion they had the report of the Committee of the two Independent Officers and the scientific opinion given by Dr. A. S. Deshpande. No ulterior motive can be ascribed to the Management in terminating their services.

30. Mr. S. P. Sehgal, Advocate, urged that there was an ulterior motive and the public out cry and Parliamentary questions that Scheduled castes vacancies were given over to relatives of bank employees, made the Management panicky and an action was taken to make room for Scheduled Caste persons to be appointed. He also pointed out that there were no complaints about the use of unfair means in the examination in the early stages or at or about the time of examination.

31. The foregoing arguments of Mr. Sehgal do not carry weight. Use of unfair means may be known not immediately, but at a later stage and in this case, it was the Committee of Staff Officers which reported that unfair means had been used in the second session test at Aligarh. The Bank-Management did not act only on the report of the Committee of Staff Officers, but also obtained the scientific opinion of Dr. A. S. Deshpande—an expert of undisputed authority. The action of the Management appears to be bona fide and on reasonable suspicion based on a scientific opinion and inquiry held by independent Bank Officers.

32. At one stage, the Bank had debarred these persons from appearing in subsequent test, but that circular of the Bank was later cancelled and in view of that cancellation there is no basis for contending that the action of the management against these workmen was by way of punishment or that it had penal consequences.

33. I am clearly of opinion that the action against the 11 workmen, S/Shri Inod Kr. Srivastava, Baldev Krishan Girdhar, Ram Dutt Pandya, Bharat Bhushan Thukral, Narendra Kr. Singh, Vijay Kumar Malhotra, Vinod Girdhar, Abhay Vir, Madan Lal Agarwal and Rakesh Gupta and Sukh Deo Chaturvedi, was an action by way of relieving the workmen on probation during the period of probation on account of a reasonable belief that they were involved in use of unfair means in the competitive test in the second-session at Aligarh on 6-11-1973 and the action is covered by Para 522 of 'Sastri Award' and cannot be interfered with.

34. The argument of Shri Somasekharan for the Bank-Management that the workmen, S/Shri R. K. Kulshreshtha, M. N. Pande, Niranjan Pal Singh, Sham Babu and S. K. Vashist should be denied re-instatement on the ground of making allegations against superior officers of the Bank of trickery, is not sustainable. These employees were bewildered by sudden termination and believed in some trickery by the Management, but when the scientific opinion of Dr. A. S. Deshpande, as the basis for termination of their services, was put before the Industrial Tribunal, they dropped the belief in Management's trickery and did not put the allegations to the Bank Officers when they appeared in the witness box. This conduct of the workmen is rather to be appreciated and does not disentitle them to relief of reinstatement in back service.

35. Accordingly the termination of services of S/Shri Niranjan Pal Singh, Shyam Babu, S. K. Vashist, R. K. Kul-

shreshtha and M. N. Pande is held to be void and unsustainable and they are ordered to be reinstated in service with full back wages and continuity of service. The other workmen are not entitled to any relief. In view of the divided success of the Management and the workmen, there is no order as to costs of the proceedings.

36. The award is made in the terms aforesaid.

October 19, 1983.

O. P. SINGLA, Presiding Officer

[No. L-12012(8)/75-D.II(A)]

New Delhi, the 2nd November, 1983

S.O. 4225.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the Central Bank of India, New Delhi and their workmen, which was received by the Central Government on the 29th October, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 50 of 1977

In the matter of disputes between :

Shri R. N. Batra,
through,

The General Secretary,
Central Bank Employees Union,
Central Bank Building, Chaudhri Chowk,
Delhi-6.

AND

The Zonal Manager,
Central Bank of India,
Parliament Street,
New Delhi.

APPEARANCES :

Shri Tara Chand Gupta—for the workman.

Shri S. S. Sethi—for the Management.

AWARD

The Central Government, Ministry of Labour, vide Order No. L-12012/137/75-D. II.A., dated 26th April, 1977, made the reference of the following dispute to this Tribunal for adjudication :

"Whether the action of the management of the Central Bank of India, Delhi in discharging Shri R. N. Batra, Clerk Kashmere Gate Branch from service with effect from 28-9-83 is justified? If not, to what relief is the workman entitled?"

2. The workman is a Commerce Graduate. He joined the services of Central Bank of India on 8-9-1960. He was working in the Kashmere Gate Branch of the Bank on 5-4-1966, when he was charge-sheeted. A departmental inquiry was ordered against him. There were five charges against him as under :—

"1. On 14-8-64 an amount of Rs. 2500 was withdrawn from Sundry Creditors account by means of a transfer voucher prepared by Mr. Batra with the narration, "the amount of (250) units kept in this account in the name of".....reversed and remitted to U.T.I. The said withdrawal being without any corresponding credit already appearing in the sundry creditors account in the name of the party. The sundry creditors account an entry of Rs. 1900 with the narration 'by amount deposited by Shri Bhasin for purchasing UTI' appears on 17-8-64. This amount was received in cash by the cash department and the relative voucher was prepared by Mr. Batra and on the reverse of the voucher Mr. Batra has signed indicating himself as remitter. On scrutiny of the UTI register it is observed that an entry of Rs. 2500 favouring Shri

B. L. Bhasin and Shri. Vidyha Vati Bhasin, Senior Commissioned Officer, 11-D Sri Ram Road, Delhi appears on 1-8-64 for purchase of 250 units but this amount was not received by the cash department and no relative entry appears in the cash scroll back nor any cash or transfer voucher is available in respect of this transaction to support the entry in the U/I register. This entry has also been made by Mr. Batra in the unit trust register. The duplicate copy of the receipt issued to the party kept on record of the office indicates that a receipt under No. 45 has been prepared by Mr. Batra apparently on 4-8-64. The figure '4' (indicating the day in the date given in the receipt appears to have been over-written). In addition to this, the duplicate copy of the next receipt in the serial also bears the same number 45 and is dated 3-8-64. It is apparent that the amount of Rs. 2500 was received in cash by Mr. Batra from the party on 1-8-64 and not on 4-8-64 as indicated in the duplicate receipt and the amount in question i.e. Rs. 2500 was not deposited by him in the bank on the date of its receipt i.e. 1-8-64.

2. In the sundry creditors account as of 18-10-65 a credit entry of Rs. 225.48 appeared with the narration M. F. 10912 (being the amount of OBC 11817 from Mangalore) and this amount of Rs. 225.48 was reversed from the sundry creditors account on 8-11-66 in reimbursement to the branch concerned. But in the sundry creditors account ledger folio, the first credit entry in respect of Rs. 225.48 appearing on 18-10-65 has been smudged with ink and an entry of Rs. 920.41 has been inserted immediately below the original entry of Rs. 225.48 with change of particulars from MF 10912 to L/C 46/179" by overwriting but without any change in the running balance of the sundry creditors account. An equivalent amount of Rs. 920.41 was subsequently withdrawn by a transfer voucher prepared by Mr. Batra to the debit of Sundry Creditors A/C on 31-1-66. The latter debit entry on 31-1-66 was passed against the corresponding fraudulent entry of Rs. 920.41 on 18-10-65 appearing in the sundry creditors account as aforesaid. On scrutinising the records, it is also observed that this amount of Rs. 920.41 was the amount received from M/s. Beri Motors in respect of release of documents under L/C 46/179 received from Chandni Chowk Office. The bill was released by Mr. Batra after receiving the cash there against and a receipt was also issued by him to Beri Motors. This money was not deposited with the bank instead it was misappropriated by Mr. Batra.
3. An amount of Rs. 575 was withdrawn by Mr. Batra by debit to sundry creditors account against a transfer voucher prepared by him on 17-8-65 the amount being remittance intended for Ki-loskar Pneumatics Ltd. towards application money for 23 shares. The said withdrawal from sundry creditors account was affected without having any corresponding credit in that regard, already outstanding in that account. An entry relating to cash voucher for Rs. 575 duly receipted by the cashier also appears in the sundry creditors account as on 16-12-65 with the narration "by amount of shares application money for Ki-loskar in this account. In the register for share application money received two entries one for Rs. 325 and the other for Rs. 250 making up a total of Rs. 575 appear on 13-8-65. Apparently the amount of Rs. 575 was received by Mr. Batra on 13-8-65 but not properly accounted for and when the remittance became overdue on 17-8-65 an equivalent amount as fraudulently withdrawn to the debit of sundry creditors account and to make good the fraudulent withdrawal a remittance in cash was made by him on 16-12-65. The next result being that Mr. Batra misappropriated and fraudulently used Bank's funds amount to Rs. 575 for the period from 13-8-65 to 16-12-65.
4. A scrutiny of the L/C register reveals that three L/Cs, Nos. 7/24, 7/25, 7/26 were opened in favour

of M/s. Deshmesh Transport Co. Pvt. Ltd., Ludhiana under the guarantee of M/s. Commercial Auto Stores on 8-12-65 and the margin money amounting Rs. 783, 402, 1440 respectively plus commission of Rs. 30 totalling 2655 is reported to have been remitted by the party. The relative entry appears in the L/C register but no corresponding entry is recorded in the CD margin account L/C (Foreign). M/s. Commercial Auto Stores vide their letter dated 12-3-66 have also confirmed that this amount of Rs. 2655 was handed over to Mr. Batra on 8-12-65 for being deposited with the cash department. Mr. Batra did not deposit this amount with the bank and misappropriated the same."

3. He was suspended on the same day. Additional charge in respect of retaining Rs. 20 received by Mr. Batra by money order on account of rental for the period from 27-8-64 to 26-8-65 remitted by Mr. Satya Pal Singh of Delhi Shahdara, was framed against him on 25-10-1966.

4. A departmental inquiry into the charges was made against him by Shri D. F. Madan, who started the inquiry on 10-11-66 and gave his findings on 2-11-67 and imposed punishment of dismissal on Mr. Batra on 20-9-68. In appeal, Mr. N. P. Ghevra, the Appellate Authority, by his order dated 6-2-69 held the findings of the Enquiry Officer, Mr. D. F. Madan as vitiated for denial of reasonable opportunity and principles of natural justice to Shri Batra and also on the ground that the Enquiry Officer had taken unreasonable period of 9 months in giving his findings and the Appellate Authority ordered a fresh denovo enquiry with the direction that "the denovo enquiry be conducted continuously from the beginning to the end without any postponement at any stage except for unavoidable reasons." The subsequent denovo enquiry was conducted by Shri J. N. Kapur. He started the enquiry on 8-8-69 and gave his findings on 9-3-73. He held Mr. Batra guilty of all the charges against him and subsequently imposed on this workman the penalty of discharge from service and further ordered that the amount involved be recovered from him.

5. Mr. Batra appealed against the findings and punishment imposed upon him. The appeal was disposed of by Mr. C. C. Patel, Zonal Manager, Ahmedabad. He dismissed the appeal of Mr. Batra on 3-10-74.

6. The General Secretary of Central Bank Employees Union on behalf of the workman, Shri Batra, has challenged the orders of the Bank. It was pleaded that the order of the Agent of Kashmere Gate Branch dated 28-9-73 was inoperative, because the said Manager was neither the appointing authority, nor the punishing or disciplinary authority and had no power to terminate his services. The enquiry officer, Mr. J. N. Kapur also was said to have no disciplinary power and as such no power or authority to terminate his services. The precise plea was that it was the Chief Agent who was disciplinary authority and not any lesser authority in terms of clauses 19.6 and 19.12 of bipartite settlement dated 19-10-66.

7. It was contended that for proven misconduct, the penalty that could be inflicted on him was dismissal from service, or censure, fine or stoppage of increment. Simple discharge could have been ordered only by having the misconduct condoned, which was not the case and the Enquiry Officer in his order of discharge did not condone the misconduct. The order of discharge was said to be not possible in the manner ordered against him. The penalty of dismissal was designedly not imposed by the Enquiry Officer.

8. Another plea was taken that there was a case of double penalty when in addition to order of discharge recovery orders were also made against the workman and the argument is that more than one punishment could not be imposed in respect of any one charge under Clause 19.9 of the Bipartite Settlement of 19-10-66.

9. Against the orders of appellate authority, the grievance is that the appeal was not disposed of within two months from the date of receipt thereof and the order of the Appellate Authority is challenged as vitiated on the ground further some bias is alleged against the appellate authority who brought extraneous matters to weigh in his judgment.

10. The Union in the Claim-Statement raised a plea that the charges against the workman were actually of criminal

misappropriation or breach of trust, and were criminal offences under the Indian Penal Code. In Clause 19.9 of the Bipartite Settlement, the Management should have proceeded against the workman in a court of law, but the Management did not do so, because this would have involved bank officers who were real offenders in the alleged misappropriation. Mr. Batra was made easy and convenient scapegoat in a departmental enquiry. If the intention was to terminate his services as a matter of expediency, the matter should have been, not by way of disciplinary action, but in terms of Clause 19.12(c) by way of simple termination without punishment.

11. Great stress has been laid on the conduct of the Enquiry Officer in taking unconscionably long time in submitting his findings. The arguments of the parties are said to have been concluded on 19-4-71, and the Enquiry Officer gave his findings on 9-3-73, i.e., after an interval of 23 months. This is said to be entirely against the principles of natural justice and even against the instruction of the Authority which required the Enquiry Officer to conduct the enquiry continuously from the beginning to the end without any postponement at any stage except for unavoidable reasons. The maxim "justice delayed is justice denied" is quoted and prejudice to the workman is stressed by the conduct of the Enquiry Officer. Natural justice and fair play was said to require due diligence, but none was displayed in making his findings by the Enquiry Officer.

12. Detailed challenge was made to the findings of Inquiry Officer on the charges levelled against the workman and the findings of the Inquiry Officer were said to be perverse and given without reasonable opportunity of being heard to the workman to defend himself. The documents required were not given. The promised deciphering of over writing was not made and copy of the Bank's written arguments to the workman was denied. Mr. S. L. Thirthani had been charge-sheeted on similar grounds as against Mr. Batra but the Management, despite Assurance to the Enquiry Officer, did not give the workman, the copy of the charges and findings against him and punishment imposed upon him.

13. The Management contested the workman's submissions and asserted that Mr. Batra had been discharged by way of punishment after a duly conducted enquiry and by competent authorities and his appeal had been considered at length by the Appellate Authority and was rejected after due deliberation and that the grievance made by Mr. Batra through the Workman's Union was said to be without substance. The matter in reference has been tried on two issues raised by the Tribunal :—

1. Whether the Inquiry suffered from any lacuna ?
2. As in order of reference.

14. The evidence led by the parties has been recorded and I have heard the representatives of the parties at great length. The arguments concluded on 10-10-1983.

15. There can be no doubt that the Enquiry Officer, Mr. J. N. Kapur had been negligent and non-diligent in conducting the enquiry, when he delayed the findings of the Enquiry by about two years. There is further no doubt that his conduct was against the orders of the Appellate Authority, Mr. N. P. Cherya, who by his order dated 5-2-69 had ordered *denovo* enquiry to be conducted continuously from his beginning to the end without any postponement except for unavoidable reasons.

16. It is not possible to agree with the Enquiry Officer, Mr. J. N. Kapur that the findings were delayed at the request of the workman or at the request of the workman and the Management both. He himself is guilty of delay in making up his mind and recording his findings.

17. The workman's representative urged that this ground alone vitiates the entire enquiry, and entitles the workman to reinstatement in service and any fresh enquiry ordered will be wholly unfair to the workman, because a period of 16 years had elapsed since the formulation of first charge-sheet against him in 1966.

18. The prejudice to the workman in the conduct of the enquiry of Shri J. N. Kapur is patent, but it would not be fair to the Management to quash the enquiry on this ground

alone. The Enquiry Officer had the advantage of hearing the evidence of the parties and that advantage is denied to this Tribunal, but, in the circumstances of the case, the entire evidence led in the enquiry has to be re-examined to see if the charges or any of them are established in a credible manner. It shall have to be kept in view that the charges are of a nature which could form the subject-matter of a criminal charge under the Indian Penal Code. However, the fact that it is a departmental enquiry, and not a question of conviction in a criminal trial, will, of course, be borne in mind.

19. There is no separate memorandum of allegations. The Charge-sheet itself contains the allegations, which are intended to support the charges made.

20. The first charge relates to misappropriation of Rs. 2500 by the workman, which was paid to him by the party, Mr. B. L. Bhasin and Smt. Vidya Bhasin for purchase of 250 units. The evidence in support of that charge is mentioned as withdrawal of Rs. 2500 from Sundry Creditors Account by him by means of a transfer voucher prepared by him, and entry of Rs. 1900 on 17-8-64 in the Sundry Creditors Register with the narration, "by amount deposited by Shri Bhasin for purchasing UTI". The said amount was said to have been received by Mr. Batra in cash on a voucher prepared by him and signed by him on the reverse indicating himself as a remitter.

21. There is no mention in the Charge-sheet about two items of credit cash appearing in the Sundry Creditors Account of Rs. 462.64 and Rs. 137.36 on 23-3-63 and 29-12-64 respectively and the relative credit cash vouchers. It will be unfair and prejudicial to the workman to allow evidence of those entries and vouchers, when these are not mentioned in the charge-sheet, because fairness and propriety demand that the Management should be held to the charges and facts indicated in the Charge-sheet and that the workman should not be subjected to any surprise or prejudice during the enquiry proceedings. In fact, the workman, in his appeal to the Appellate Authority had raised the objections that the contents of the charge-sheet do not make mention of the allegation that the two amounts, i.e., Rs. 462.64 and 137.36 were deposited in cash by the workman on 23-3-63 and 29-12-64 respectively and that the Inquiry Officer could not travel beyond the particular allegations made in the charge-sheet and could not mount additional allegations over and above the charge-sheet. These entries and vouchers are ignored.

22. The Management has produced Shri S. L. Thirthani who was the Incharge of Fixed Short deposits, Long Term Deposits, sale-purchase, foreign bills, cash credit, O.B.C., I.B.C., Bills payable, Estt. and Misc. Bills Purchased, checking of C.D. ledger and HSS ledgers, checking of despatch, Agency etc. and Unit Trust A/c., Hire Purchase, Travellers Cheques, and other departments. He proved that the Unit Trust Register contained an entry of Rs. 2500, S. No. 45 for sale of 250 Units sold to Mr. B. L. Bhasin and Smt. Vidya Vati Bhasin and the acknowledgement No. 45 was in the hands of Mr. Batra and signed by him. Mr. Thirthani indicated that the routine was that the cash offered by the party for purchase of the shares was handed over to the clerk concerned, who deposited the money in the bank and after receipt of the money, the voucher came to the department through the clerk concerned and on behalf of that voucher duly stamped by the cashier and signed by the Head Cashier, duly scrolled came to the Department and on the strength of that voucher, Unit Trust receipt according to the entry of the Unit Trust Register was signed and handed over to the purchaser. He stated that the voucher was made by Mr. Batra, the clerk concerned. He further stated that upto 14-8-64, he was under the impression that the voucher lay in the bundle dated 1-8-64 as the cash was received on that day, but on 14-8-64 while receiving the memo from Chief Agent's Office, he went through the records of Kashmere Gate and found that the vouchers for credit for Rs. 2500 was not in the voucher and the amount was not actually deposited. He stated that his belief was that that voucher was destroyed by Mr. Batra on 1-8-64. He further stated that a person on behalf of Mr. Bhasin, who came to purchase Units Trust was seen to be seated before Mr. Batra's seat and he handed over the money to Mr. Batra for purchase of Trust.

23. In regard to the deposit of Rs. 1900 on 17-8-64, the preparation of the voucher and signatures on the reverse are admitted by Mr. Batra. The explanation of Mr. Batra is that he only prepared the voucher on 14-8-64 and the withdrawal was affected under the authority of Incharge, Shri Harbans Lal. He accepted that the debit voucher entry dated 14-8-64 was prepared by him on the instructions of the Departmental Head and the Departmental Head had himself verified that the corresponding entry had already been made in the C.D. Ledger. In the Voucher B-15, there blank space after the words "Name of Shri-", but this omission was not pointed out by the Bank/Deptt. Incharge and the explanation of the workman is that when he prepared the voucher he found this space blank and requested the Departmental Incharge to fill it up and this also proved that he prepared the voucher on the instructions of Mr. Harbans Lal and not on his own.

24. There is no doubt that the remittance to the Unit Trust was made and the units were purchased in the names of Mr. B.L. Bhasin and Smt. Vidya Vati Bhasin for Rs. 250/- and that money was not credited in the bank and only Rs. 1900/- came in cash with the Bank for the purpose later on 17-8-64. The question is whether Mr. Tirthani is to be believed when he lays the blame on Mr. Batra or the evidence of Mr. Tirthani is not credible and Mr. Batra is not held to be liable. Mr. S.L. Tirthani is very specific about the routine in the Branch in regard to Unit Trust Receipt. He stated that the cash offered by the party for purchase of the shares was handed over to the concerned clerk and he initialled after the money had been deposited in the Bank and the voucher was duly stamped and signed by the Head Cashier. He was subjected to cross-examination on the point and had first stated that if Mr. Batra was absent, then it was the party concerned, which deposited the money with the cashier after getting the voucher prepared by the concerned clerk. Later towards the end of his cross-examination, Mr. Tirthani broke down and had to admit that generally the cash was deposited by the parties themselves but in the case of Mr. B.L. Bhasin, he did not know whether he was known to him or he had handled cash himself, but he found that Mr. Batra was relieving the party as soon as possible.

25. Mr. Tirthani could not give any details of anyone else handing over money to Mr. Batra. He also could not give particulars of the party who came to Bank on behalf of Mr. and Mrs. Bhasin to hand over the cash to Mr. Batra. The depositors themselves, or their representative, have not been examined during the enquiry.

26. The intergity of Mr. S.L. Tirthani is suspected. Accordingly, on 14-8-64, he states that he had come to know that the voucher was missing, which was a serious matter, but there is no written report by him about the loss of the voucher, casting suspicion on the evidence given by him. It is a case where the workman asserts his innocence by referring to acts done at the asking of his superiors and the Management contending that the workman was dishonest. The Officer Incharge, Mr. Tirthani, is found to be both inefficient and not credible in the evidence that he has given and it is not, therefore, possible to hold that Rs. 2500/- were accepted by Mr. R.N. Batra from the party, and was not deposited by him in the Bank. The evidence led of Mr. S.D. Tirthani is doubtful, and the Management has not examined the actual person, who handed over the money to Mr. Batra. The circumstantial evidence of Rs. 1900/- voucher bearing signatures of Mr. Batra is not conclusive, when his explanation is that he did so at the asking of his superior officer, which is a possibility. The first charge against the workman cannot be said to have been established on the evidence led during the enquiry.

27. The second charge relates to an amount of Rs. 920.41 received by Mr. Batra from M/s. Beri Motors under L/C 46/179 received from Chandni Chowk Office. The bills were released by Mr. Batra. The allegation is that he received this amount of Rs. 920.41 in cash against receipt issued by him to Beri Motors, but this money was not deposited with the Bank and was misappropriated by Mr. Batra and he made entries in the Sundry Creditors Account to cover up this misappropriation by him.

28. The Management examined Mr. Mahesh Chand Beri of M/s. Beri Motors in this context. He stated that he gave Rs. 920.41 to Mr. Batra and obtained receipt for that amount from Mr. Batra on 18-10-65 and when he received a letter from

Kashmere Gate Branch that the documents were lying unpaid, he produced Receipt B-36 and was absolved of his responsibility by the Bank. The Management also produced documents in this respect.

29. The explanation of Mr. R.N. Batra is that he acted on the asking. Departmental incharge as Dealing Clerk and did not receive the alleged cash of Rs. 920.41. He has referred to the inconsistencies in the deposition of Mr. Berry and his representative urges that Mr. Berry is not reliable.

30. He further points out that there was no communication till 5-12-66 from M/s. Beri Motors of handing over of this amount of Rs. 920.41 to the workman on 18-12-65, but still a charge was framed against the workman about this matter.

31. During his examination-in-chief, Mr. Berry stated that he could not definitely say that the receipt had been issued to them at the time of payment, since that receipt bearing the L/C number and the amount tally with their record, he believed that it should be the same receipt.

32. When closely cross-examined about the receipt for payments made in the Bank, he stated that he would be satisfied if the receipt is duly issued by the authorised person but when it was pointed to him that the receipt in question B-36 was not dated and signed receipt by an authorised person, he was in difficulty and his answer to the question "would you accept a receipt which is undated and not in any way authenticated on behalf of the Bank?", was 'No'. This receipt B-36 was both undated and unsigned by anyone. This circumstance detracts from the testimony of Mr. Berry about the handing over of the money by him to Mr. Batra on 18-12-65.

33. Mr. Batra's case is that he was not concerned with the keeping of custody of documents and it was entirely the officer's responsibility and job and would not deliver the documents and only the officers could have done so and it is Departmental Officer who delivered the documents without ascertaining or satisfying himself that the party had actually deposited the amount required. The narrations "Cash Received/A/C debited with" stand struck out on the exhibit. The receipt is undated and unsigned.

34. The stand further raised is that B-34 letter dated 16-12-65 is written by Chandni Chowk Branch to Kashmere Gate Branch about the amount under Bill L/C46/179 remaining unpaid. B-35 is a letter dated 27-1-66 by Chandni Chowk Branch to Kashmere Gate Branch that the bill in question was sent to Kashmere Gate office on 6-10-65 and that the drawee had informed on telephone about the retiring of the bill on 18-10-65. The Departmental head did not take up any action in the matter and remained silent indicating that the bill had been delivered to the party with his consent.

35. The evidence of Mr. Berry is such that it is not possible to accept that he would make the payment to Mr. Batra and go away with a voucher, which is both undated and unsigned. This experienced person is not likely to go away like this after handing over the cash to a bank employee. In any case, on the cross-examination of Mr. Berry, this Tribunal cannot hold that Mr. Berry's evidence is correct to hold that it was Mr. Batra who received the amount from him. The charge is held to be not proved.

36. The third charge relates to Rs. 575/- alleged to have been taken by Mr. Batra on 13-8-65 and not properly accounted or by his and the money had been retained by him from 13-8-65 to 16-8-65.

37. There is no oral evidence of the Bank in respect of this charge and the reliance is on the documents produced by the Bank. B-59 is the original copy of the receipt in the name of Shri Sohan Lal Sethi and Mrs. Kanwal Nain Sethi dated 12-8-65 and B-18 is the debit transfer voucher. The narration in respect of allotment money of 35 shares of Kirloskar Pneumatic Ltd. in red ink is in the handwriting of Shri Harbans Lal, the dealing officer, who had passed the voucher, shows that there should have been a corresponding entry in the Sundry Creditors Account on 12-8-65, but there is no such entry. The workman's case is that there is no proof about the receipt of money from any one and no precise person was mentioned, who handed over the money to the workman. The receipt B-59 produced at late stage in the evidence after all the oral evidence had been led was not shown as to how it came to be there as it is a party's receipt and the manner of its reaching was not disclosed. If B-59 remained in the Bank, the Manage-

ment's case should suffer. In any case, the workman appears to have been denied the right to deal with the receipt B-59 and if the person concerned was produced, the workman could have defended himself. The manner of production of B-59 in the enquiry prejudiced the workman and the grievance of the workman is correct on the point. It is not possible to hold that an amount of Rs. 575/- was received by the workman from any party on the date alleged. This charge also must be held to be not proved though there is fault of the workman in making this voucher without verifying the corresponding entry, but that is not the charge against him.

38. The fourth charge relates to Rs. 2655/- said to have been handed over to Mr. Batra by M/s. Commercial Auto Store for being deposited with the cash department, and misappropriation of that amount by him. There is no entry in the C/D margin account for the margin money against the 3 L/Cs and M/s. Commercial Auto Store by their letters dated 12-3-66 had confirmed that the amount of Rs. 2655/- was handed over to Mr. Batra on 8-12-65. The Management examined Shri Madan Lal Arora on this charge.

39. It is to be seen that Shri Madan Lal Arora was not a direct witness of the transaction. He did not come to the Bank with the remittance of Rs. 2655 and according to his own deposition, he did not handle this transaction personally. He was also not sure whether he was the person in the office when the money was handed over to Mr. V.P. Sharma. He did not know about the deposit of this money because import business was being handled by Shri Devi Dayal Ahuja. Manager and the deposit of this money did not come to his knowledge. The evidence of Mr. Madan Lal Arora has no direct bearing on the money being handed over to Mr. Batra on 8-12-65. Shri V.P. Sharma was an important witness and he may himself be the person concerned in the transaction and the documents produced by the Bank do not unfailingly point to workman as the person involved and misappropriation of that amount by him. The workman's case is that he was only an Accounts Clerk and was only concerned for making the entries in the books and preparing vouchers etc. at the direction of the Incharge and he was not handling the cash deposited by the party which was being done by the Cash Department in respect of this margin money. The evidence of the Bank remains not credible in the absence of proof of handing over of the money by Mr. V.P. Sharma on behalf of the party to the workman. This charge is also held to be not proved.

40. The last charge against the workman is in the supplementary charge-sheet and was framed as an additional charge. It is in respect of retaining Rs. 20 received by Mr. Batra by money order on account of rental charges of Locker No. 91 for the period from 27-8-64 to 26-8-65 remitted by Mr. Satya Pal Singh, on 7-9-65 and the said amount was said to have been misappropriated by the workman and not deposited in the Bank.

41. Mr. Batra's case is that he received this amount at the asking of the Department Incharge. His case is that he had handed over the voucher and money to Mr. Wadehra. He made the relative entry in the Safe Deposit Vault Register.

42. The matter of receipt of Rs. 20 by money order is admitted by Mr. Batra. When he had received the money of the party, it was his duty to see that this money of the Bank was deposited in the Bank even if he had handed over the same to Mr. Wadehra. His duty did not end on handing over the money to Mr. Wadehra. His duty was to see that the said money was deposited in the Bank, because it was he who had received the money from the party. This misappropriation of the amount of Rs. 20/- is attributable to him, when this money was not deposited in the Bank to the account of Locker rent of Mr. Satya Pal Singh. Mr. Batra is held guilty of misappropriation of this amount of Rs. 20/-, the rental charge of the locker No. 91 received by him by money order, when this amount is not found deposited in the Banks account.

43. The result is that only one small charge of the amount of Rs. 20/- being not deposited with the Bank is established against the workman, and the other charges are not proved on the evidence led in the enquiry. Even the charge of misappropriation of Rs. 20/- held proved against the workman is on the basis that he may have given the money to Mr. Wadehra, but his responsibility did not end by handing over the money. It was his duty to see that the amount of Rs. 20/- is credited in the bank.

44. The penalties that can be imposed on the workman in terms of Clause 19.6 of the Bipartite Settlement dated 19-10-1966 are :—

- (a) dismissal without notice ; or
- (b) warning or censure or an adverse remark entry against him; or
- (c) fine ; or
- (d) stoppage of increment ; or
- (e) misconduct condoned and mere discharge.

In awarding punishment by way of disciplinary action, the authority concerned had to take into account the gravity of the misconduct, the previous record, if any, of the employee and any other aggravating or extenuating circumstances, that may exist.

45. Mr. S.S. Sethi argued that the employment in a Bank is a very sensitive matter and utmost integrity is needed in a bank employee and dismissal from service is the ordinary penalty that must follow, whenever any misappropriation by bank employee is proved against him.

46. In my opinion, in this case, when only Rs. 20/- are found to have misappropriated by Mr. Batra and that also in the circumstances mentioned above, dismissal from service will be wholly improper. It would be proper to have his two annual increments stopped, without cumulative effect. In addition, he should be paid only half the wages during the period from the date of his suspension, i.e., 5-4-66 till his reinstatement in service and not full wages. It is ordered that Mr. R.N. Batra be reinstated in service with continuity of service and the order of his discharge from service made by Mr. J.N. Kapoor on 28-9-73 is set aside. The direction is issued to the Management accordingly.

47. The award is made in the terms aforesaid.

O.P. SINGLA, Presiding Officer.

[No. L-12012/137/75-D. II(A)]

October 26, 1983

S.O. 4226.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the Punjab National Bank, Lucknow and their workmen which was received by the Central Government on the 29th October, 1983.

BEFORE SHRI O. P. SINGLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 78 of 1980

In the matter of disputes between

Shri Panna Lal Jain
through
The General Secretary,
U.P. Bank Employees Union,
Punjab National Bank Employees' Union,
295/387 Deen Dayal Road, Asharfabad,
Lucknow.

AND

The Regional Manager,
Punjab National Bank,
Bibhab Nagar, Agra.

PRESENT :

Shri O. P. Nigam—with the workman.

Shri P. K. Goswamy—for the Management.

AWARD

The Central Government, Ministry of Labour, vide Order No. L-12012/20/79-D.II.A, dated 29th July, 1980, made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Punjab National Bank in relation to its Agra Region, Agra

in denying full wages to Shri Panna Lal Jain, Head Cashier at Daresi No. 2 Branch, Agra for the period of his suspension from July 6, 1977 to August 1, 1978 is justified? If not, to what relief is the workman concerned entitled?"

2. The workman in his Statement of Claim pleaded that he was Head Cashier in the Bank and was earlier posted at Belanganj Branch of Punjab National Bank, but was transferred to Daresi No. 2 Branch, Agra. He had been performing the duties as Head Cashier and his duties were supervisory and of distributing duties to Assistant Cashiers at Belanganj Branch, but when he was transferred to Daresi No. 2 Branch in January, 1976, the Assistant Cashiers compelled the Management to order him to handle cash and make disbursement, which were not his duties under the Bank Awards and the Bank Rules. The Regional Manager was prevailed upon to order accordingly, and the Branch Manager issued an office order ordering him to undertake the work of payment Cashier also along with the duty of Head Cashier in the last week of March, 1976. The workman was not satisfied and referred the matter to the Branch Manager to reconsider the order in view of the 1st Bi-partite settlement dated 19th October, 1966. The Officiating Manager, Mr. H. V. Garg, abruptly issued instructions to the workman on 6th July, 1976 advising him to perform the duty of the paying cashier, along with the duty of the Head Cashier with immediate effect. The workman was busy in sending the remittance of cash to State Bank of India and could not comply with the orders immediately, whereupon the Officiating Manager immediately suspended him and gave him the memo. The workman's plea is that the Officiating Manager was prejudiced against him due to the complaint made to him.

3. An enquiry was conducted against the workman and ultimately, he was given a punishment of censure and undertakings were taken from his representative and from him, but instead of ordering payment of full wages for the period of suspension, an order issued on 10th December, 1977 mentioned that no wages for the suspension period will be paid beyond the subsistence allowance already paid to him. This order of the Regional Manager further mentioned that Mr. Jain was still marking unauthorised overtime and he was closing cash late, instead of closing the cash in time. His efficiency had been impaired.

4. The evidence has been recorded. Mr. H. V. Garg Assistant Manager, then working at Daresi No. 2 Branch of the Management—Bank gave his affidavit. The workman also gave his affidavit in support of his claim. Both have been cross-examined.

5. I have heard the representatives of the parties. The Bank's representative asserts that when the punishment has been awarded to an employee, the position about the subsistence allowance or full wages for suspension period is a matter of discretion and that discretion had been exercised by the Bank in the present case and the discretion could not be interfered with, when punishment imposed upon him had become final and had not been referred to this Tribunal.

6. It is correct that this Tribunal cannot sit in judgment over the punishment awarded to the workman which was the minimum punishment possible, that of censure, but when a reference has been made by the Central Government, whether the workman should be paid full wages for the suspension period, i.e., for 6th July, 1977 to 1st August, 1978, the Tribunal has the authority to examine whether the discretion of the Management in this matter has been correctly exercised or not.

7. In L.C.A. No. 529 of 1979 of this workman against the Regional Manager, Punjab National Bank, Agra, I have held that Mr. Jain was required to work at the counter and the additional work has imposed on him, which was not in his normal duties as a Head Cashier. It was further held that Mr. Jain had to sit late, because he could not leave till the accounts were reconciled and the cash deposited in the Cash-Vault of the Bank. It was further held that overtime work was taken from him without paying him overtime wages and the Management of the Bank did not make specific orders while taking work from him

and this Court ordered the Management of Punjab National Bank to pay Rs. 4685.40 for overtime work done by him. These orders were made on 20th April, 1983.

8. The circumstances of the case, therefore, militate against the exercise of discretion by the Management which discretion has been wrongly exercised by calling him inefficient, when he was efficient and by saying that he sat overtime when he was not required to sit overtime for closing the vault after payments had been made and reconciliation of accounts had been done. The work was taken from him beyond what was his duty under the bi-partite settlement and when he did that work and had to sit overtime, no orders for doing overtime work were made and the payment was denied to him. Rather the doing of overtime work was made a grievance against him. His efficiency does not appear to have impaired and the discretion exercised by the Management in denying him full wages for the period of suspension is improper. Accordingly, I hold that the action of the Management in denying full wages for the period of suspension to the workman, Shri Panna Lal Jain, Head Cashier at Daresi No. 2 Branch of the Punjab National Bank, Agra is unjustified and he is entitled to full wages of that period. The Management of Punjab National Bank is ordered to make payment of the balance amount due to him on the footing that he is entitled to full wages for the whole period from 6th July, 1977 to 1st August, 1978.

9. The award is made in the terms aforesaid.

O. P. SINGLA, Presiding Officer

[No. L. 12020(20)/79-D.II(A)]

October 25, 1983.

New Delhi, the 7th November, 1983

S.O. 4227.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the Bank of India, Lucknow and their workmen, which was received by the Central Government on the 29th October, 1983.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL :
NEW DELHI

I. D. No. 56 of 1978

In the matter of disputes between :
Shri Ashok Kumar Mehrotra,
through
The General Secretary,
U.P. Bank Employees Congress,
295/377 Deen Dayal Road,
Ashrafabad, Lucknow.

AND

The Regional Manager,
Bank of India,
No. 1 Nawal Kishore Road,
Lucknow.

PRESENT :—

Shri O. P. Nigum with the workman.

Shri (Dr.) Anand Prakash with Mr. Samir Prakash with
Shri Ashok K. Aggarwal for the Management.

AWARD

The Central Government, Ministry of Labour, vide Order No. L-12012/125/77-D. II. A., dated 19th/23rd June, 1978, made the reference of the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of the Bank of India in terminating the services of Shri Ashok Kumar Mehrotra temporary Clerk, Unnao Branch of the Bank with effect from 17-2-75 is legal and justified? If not to what relief is the workman concerned entitled?"

2. The workman had joined the Bank of India on temporary basis on 6-11-73 for three months and continued to work for about 15 months till his services were terminated on 16-2-1975 without payment of retrenchment compensation. He was given one or two days break in this period, i.e., 6-11-74 to 16-2-75. The workman complained that his services were terminated

without complying with the provisions of Section 25-F of the Industrial Disputes Act, 1947 and claimed reinstatement in service with full back wages

3 The Management contested the claim of the workman and stated that the action was taken in accordance with the policy regarding recruitment of the members of the Clerical Staff as laid down in the Memorandum of settlement dated 1.6.72 and supplementary Settlement dated 5-7-73 and it was not possible for the management to continue the service of this temporary employee, because he had failed in the written test

4 The evidence of the parties has been recorded and I have heard the representatives of the parties

5 The right of the Management of the Bank of India to terminate the services of the workman is not disputed. What is in dispute is the manner of exercise of that right. It is settled law of the land that the Industrial Disputes Act, 1947 as a special law overrides the provisions of Sastri Award, Desai Award and/or Bipartite Settlement

6 Accordingly it was necessary for the Bank to terminate the services of the workman, who had completed 240 days service with the Bank by giving him the retrenchment compensation as also notice. That was not done and Section 25-F of the ID Act, 1947 was violated in his case, when that provision was applicable to him

7 The ordinary consequence of breach of Section 25-F is that the termination of services is void ab initio and reinstatement in service with full back wages is to be ordered. However, in this case there are two facts, which militate against that ordinary course. The first is that he failed in the test for permanent recruitment in the Bank. The second is that he worked only for 15 months and that was, upto February, 1975 and now it is the year 1983. It would not, therefore, be appropriate to order his reinstatement and to have his services terminated at the next opportunity by the Bank on payment of retrenchment compensation in accordance with Section 25-F of the Industrial Disputes Act, 1947. It is a fit case where compensation may be given in lieu of reinstatement in service with full back wages

8 On a consideration of all these factors I fix Rs 32000 as compensation to be paid by the Bank of India to the workman Shri Ashok Kumar Mehrotra, for termination of services made in breach of Section 25-F of the Industrial Disputes Act, 1947 and a direction is issued to the Management of Bank of India to pay Rs 32000/- (Rupees Thirtytwo Thousand only). The reinstatement in service or full back wages are refused

8 The award is made in the terms aforesaid

October 25 1983

O P SINGLA, Presiding Officer

[No L-12012(125)/77-D II(A)]

N K VFRMA, Desk Officer

नई दिल्ली, 5 नवम्बर, 1983

का० आ० 4228 —केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स चिन्नापुष्पागिरि को-ऑपरेटिव मिल्क सप्लाय सोसाइटी, चिन्नापुष्पागिरि बाया मन्दासरायन पोर्तूर तालुक, जिना उत्तर आरकोट, तमिलनाडु नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों विषय निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[म० एम०-35019/301/83-पी० एफ०-2]

New Delhi, the 5th November, 1983

S O 4228 —Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Chinnapushpagiri Co-operative Milk-Supply Society, Chinnapushpagiri via Santhaval, Polur Taluk, North Arcot District, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No S-35019/301/83-PF II]

का० आ० 4228 —केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अन्दल बस सर्विस 6/12 गवर्नमेन्ट आर्ट्स कॉलेज रोड, कोयंबटूर-18 तमिलनाडु नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों विषय निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[म० एम०-35019/299/83-पी० एफ० 2]

S O 4229 —Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Andral Bus Service, 6/12, Government Arts College Road, Coimbatore-18, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No S-35019/299/83 PF II]

का० आ० 4230 —केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आनन्द आइल प्रोडक्ट्स कम्पनी गदग-582101 कर्नाटक राज्य नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों विषय निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[म० एम०-35019/298/83-पी० एफ० 2]

S O 4230 —Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Anand Oil Products Company, Gadag-582101, Karnataka have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No. S-35019/298/83-PF II]

का० आ० 4231 —केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के० जे० एन्टरप्राइजिज, पुराना स्टेशन रोड, रुडकेला-1 जिला मुन्बरागढ़, उड़ीसा नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस

ज्ञान पर सहमत हो गई है कि कर्मचारी श्रविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/297/83-पी० एफ० 2]

S.O. 4231.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K.K.J. Enterprises, Old Station Road, Rourkela-I, District Sundergarh, Orissa have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/297/83 PF. II]

का० आ० 4232.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस लिबर्टी इंजिनियरिंग वर्क्स, 6-बी, स्पेनल प्लॉट, एम-12, हुंडुबुल रोड, हुंडुबुल-21, कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी श्रविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 का उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/296/83-पी० एफ० 2]

S.O. 4232.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Liberty Engineering works, 6-B Spl. Plot, M-12, Industrial Estate, Gokul Road, Hubli-21, Karnataka have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment;

[No. S-35019/296/83-PF. II]

का० आ० 4233.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस ड्राइस्कर पानिककर रिजर्वेयर प्राइवेट लिमिटेड बेल्लामथंगल श्रीपेरम्बुदुर तालुक, मद्रास-602105, तमिलनाडू नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी श्रविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/295/83-पी० एफ० 2]

S.O. 4233.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Driescher Panicker Swichgear (Private) Limited, Vellamthangal, Sripermbudur Taluk, Madras-602105, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/295/83-PF. II]

का० आ० 4234.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस थिरुमालेयज टेक्स्टाइल्स यूनिट सं० 30/बी, मिडको इंडस्ट्रियल एस्टेट, कोयम्बटूर-21 तमिल नाडू नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी श्रविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 का उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/294/83-पी० एफ० 2]

S.O. 4234.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Thirumaleyes Textiles, unit No. 30/B, SIDCO Industrial Estate, Coimbatore, 21 Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/294/83-PF. II]

का० आ० 4235.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस युनाइटेड मशीनरी वर्क्स प्राइवेट लिमिटेड, पोस्ट बॉक्स नं० 2038 गणपति, कोयम्बटूर-6 तमिल नाडू राज्य नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी श्रविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एस-35019/293/83-पी० एफ० 2]

S.O. 4235.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Machinery Works Private Limited, Post Box No. 2038, Ganapathy, Coimbatore-6, Tamil Nadu State have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/293/83-PF. II]

का० आ० 4236.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस इंडियन सोशल इन्स्टीच्यूट, 10 इन्स्टीचुशनल एरिया, लोदी रोड, नई दिल्ली-3 और इसका शाखाएं बंगलौर नागपुर और पाषा शाखाएं नई दिल्ली में नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी श्रविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/325/83-पी० एफ० 2]

S.O. 4236.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Indian Social Institute, 10, Institutional Area, Lodi Road, New Delhi-3 including its branches at Bangalore, Nagpur & 5 branches at New Delhi have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(325)/83-PF-II]

का० आ० 4237.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री श्रीनिवास मोडर्न राइस मिल, पोनुगुटी बालामा पोद्दुरु (आकधर) बाया राजम, त्रिशा श्रीकाकुलम, आंध्र प्रदेश नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/323/83-पी० एफ० 2]

S.O. 4237.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Srinivasa Modern Rice Mill, Ponugutivalasa, Podduru (P.O.), Rajam (via), Sriakulam District, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(323)/83-P.F.II]

का० आ० 4238.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मुक्कादास मेडिकल्स, गुरुक्रिपा, एम० जी० रोड, अरनाकुलम, कोचीन-682016 केरल नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/322/83-पी० एफ० 2]

S.O. 4238.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mukkadas Medicals, Gurukripa M.G. Road, Ernakulam, Cochin-682016, Kerala have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(322)/83-PF.II]

का० आ० 4239.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रभात इन्डस्ट्रियज, 204, धनराज इन्डस्ट्रियज एस्टेट, सनमिल लेन, लोवर पार्ल (उबय) बम्बई-13 नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 का उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35018/52/83-पी० एफ० 2]

S.O. 4239.—Whereas it appears to the Central Government that the employed and the majority of the employees in relation to the establishment known as Messrs Prabhat Industries, 204, Dhanraj Industrial Estate, Sun Mill Lane, Lower Parcel (W) Bombay-13, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35018 (52)/83-PF.II]

का० आ० 4240.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री पारमेश्वरी मोडर्न राइस मिल, राजम (आकधर), त्रिशा श्रीकाकुलम, आंध्र प्रदेश नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 का उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/321/83-पी० एफ० 2]

S.O. 4240.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Parvathi Parameshwari Modern Rice Mill, Rajam (P.O.), Sriakulam District, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(321)/83-PF. II]

का० आ० 4241.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कि कटक इन्डिस्ट्रियल को-ऑपरेटिव मिल्स प्रोड्यूसर्स यूनियन लिमिटेड, को-ऑपरेटिव कालोनी, तथा बाजार, कटक-4, उड़ीसा तथा जगतसिंहपुर, केन्द्रपाड़ा, निआसी तथा फूलताबाड़ा जिला कटक, म्बिन इसके मुख्यालय तथा शाखा सहित नामक स्थापन के सम्बद्ध नियोक्ता और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/320/83-पी० एफ० 2]

S.O. 4241.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Cuttack District Co-operative Milk Producer's Union Limited, Co-operative Colony, Naya Bazar, Cuttack-4, Orissa including its Head Office & Branch at Jagatsinghpur, Kendrapara, Niali and Phulnakhar at Cuttack District have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(320)/83-PF. II]

का० आ० 4242.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पवन कुमार ब्लास्टिंग वर्क्स, 6-15-7, ए, ईस्ट पोइंट कोलोनी, विशाखापटनम-3, आंध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/319/83-पी० एफ० 2]

S.O. 4242.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pavan Kumar Blasting Works, 6-15-7A, East Point Colony, Visakhapatnam-3, Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(319)/83-PF. III]

का० आ० 4243.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि इन्डस्ट्रियल एंड कोमर्शियल को-ऑपरेटिव सोसाइटी लिमिटेड नं० 5-8, के० आर० मार्केट, बंगलूर-2 कर्नाटक तथा 81, ईस्ट अन्जनेया टेम्पल स्ट्रीट, बांगलूर-4 स्थित इसकी शाखा सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/318/83-पी० एफ० 2]

S.O. 4243.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs The Industrial and Commercial Co-operative Society Limited, No-5-8, K.R. Market, Bangalore-2, Karnataka including its branch at 81, East Anjaneya Temple Street, Basavangaudi, Bangalore-4 have

agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(318)/83-PF. II]

का० आ० 4244.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जाना इंजीनियरिंग वर्क्स, इंजीनियरिंग कन्स्ट्रक्शन नं० 70-73, पालायाम कोट्टाई रोड तुटिकोरिन-2, तमिल नाडू, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/316/83-पी० एफ० 2]

S.O. 4244.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jano Engineering Works, Engineering Contractors, No. 70-73, Palayamkottai Road, Tuticorin-2, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/(316)/83-PF. II]

का० आ० 4245.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रघबीर मशीनरी प्राइवेट लिमिटेड, चण्डर नगर, गुर्गाँवा, हरियाणा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/317/83-पी० एफ० 2]

S.O. 4245.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Raghbeer Machinery Private Limited, Chander Nagar, Gurgaon, Haryana have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(317)/83-PF. II]

का० आ० 4246.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि पवन मिल्स को-ऑपरेटिव स्टार्स लिमिटेड, के-784, कोयम्बटूर-18 तमिल नाडू नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/310/83-पी० एफ० 2]

S.O. 4246.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Pankaja Mills Co-operative Stores Limited, K-784, Coimbatore-18, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment :

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(310)/83-PF. II]

का० आ० 4247.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रि केन्नानोर ड्रग लाइन्स, केन्नानोर-1, केरल तथा केन्नानोर-2 स्थित ड्रगका वितरण खण्ड नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/311/83-पी० एफ० 2]

S.O. 4247.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Cannanore Drug Lines, Cannanore-I, Kerala including its Distribution Division at Cannanore-2 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(311)/83-PF. II]

का० आ० 4248.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बी० एम० एण्ड सी० सेफ्टी सिस्टम्स (इंडिया) लिमिटेड, 147 कारप्पक्कम विलेज मद्रास-600096 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/312/83-पी० एफ० 2]

S.O. 4248.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs BS & B Safety Systems (India) Limited, 147, Karappakkam Village, Madras-600096 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment :

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government

ment hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(312)/83-PF. II]

का० आ० 4249.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री लक्ष्मी सर्विस, 27/4, बाजार स्ट्रीट, सेथियाथोपे, साउथ आर्कोट डिस्ट्रिक्ट, तमिल नाडू नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/313/83-पी० एफ० 2]

S.O. 4249.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sri Lakshmi Service, 27/4, Bazaar Street, Sethiathope, South Arcot District, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(313)/83-PF. II]

का० आ० 4250.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नन्दी कोमर्शियल कम्पनी, 12/303 न्यू फील्ड स्ट्रीट, मंगलूर-1 कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/314/83-पी० एफ० 2]

S.O. 4250.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nandi Commercial Company, 12/303, New Field Street, Mangalore-1, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(314)/83-PF. II]

का० आ० 4251.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भुवनेश सेन्स प्राईवेट लिमिटेड, गगन दोर बिज्डिंग, राजेन्द्रा रीजेन, नई दिल्ली-8 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं. एम०-35019/315/83-पी० एफ० 2]

S.O. 4251.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mutual Sales Private Limited, Gagan Deep Building, Rajindra Place, New Delhi-8, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(315)/83-PF. II]

क्र० आ० 4252.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राजस्थान स्टेट कोऑपरेटिव हाउसिंग फाइनेंस सोसायटी लिमिटेड, म्यूजियम रोड जयपुर, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019/309/83-पी० एफ-2]

S.O. 4252.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rajasthan State Co-operative Housing Finance Society Limited, Museum Road, Jaipur have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(309)/83-PF. II]

क्र० आ० 4253.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विनेश ट्रांसपोर्ट कं०, स्टेशन रोड, थसरा, जिला काइरा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019/277/83-पी० एफ० -]

S.O. 4253.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Dinesh Transport Company, Station Road, Thasra, District Kaira have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(277)/83-PF. II]

क्र० आ० 4254.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सीमिक कम्प्यूटर्स प्राइवेट लिमिटेड, 24 पैलेस क्रॉस रोड, बंगलूर-560020 कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और

प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019/276/83-पी० एफ०-2]

S.O. 4254.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Semac Computers Private Limited, 24, Palace Cross Road, Bangalore-560020, Karnataka have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No. S-35019/276/83-PF. II]

क्र० आ० 4255.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विमोक्त कंसल्टेंट्स एण्ड इंजिनियर्स (प्राइवेट) लिमिटेड, 304 नेहरू चैम्बर, 46 नेहरू प्लेस, नई दिल्ली-19 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019/286/83-पी० एफ० 2]

S.O. 4255.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vimokas Consultants and Engineers (Private) Limited, 304, Delhi Chambers, 46, Nehru Place, New Delhi-9 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(286)/83-PF. II]

क्र० आ० 4256.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गौरव इन्टरनेशनल 5/77, पंजाबी बाग, नई दिल्ली-26 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारियों भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एस-35019/306/83-पी० एफ०-2]

S.O. 4256.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gaurav International, 5/77, Punjabi Bagh, New Delhi-26 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/306/83-PF. II]

का० आ० 4257.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अशोक राइस मिल, गदग रोड, कोप्पल जिला-रायचूर, कर्नाटक राज्य नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/307/83-पी० एफ०-2]

S.O. 4257.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ashok Rice Mills, Gadag Road Koppal, Raichur District, Karnataka State have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/307/83-PF.II]

का० आ० 4258.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स होटल सीरॉक, पल्लिमूक्कु, अरनाकुलम, कोचीन-682016, केरल राज्य नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/308/83-पी० एफ० -2]

S.O. 4258.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hotel Searonk, Pallimukku, Ernakulam, Cochin-682016, Kerala State have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/308/83-PF. II]

का० आ० 4259.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री यार्न सेल्ज कारपोरेशन, 532, कटरा नील, चान्दनी चौक, दिल्ली और श्री यार्न सेल्ज कारपोरेशन, एस डी कावेज के पास पानीपत में स्थित उसकी शाखा महिप नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/288/83-पी० एफ०-2]

S.O. 4259.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Yarn Sales Corporation, 532, Katra Neel, Chandni Chowk, Delhi including its branch at Shree Yarn Sales Corporation, Near S.D. College, Panipat have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/288/83-PF. II]

का० आ० 4260.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बी० एन० माथुर कन्सल्टेंट्स प्राइवेट लिमिटेड, 90, सुन्दर नगर, नई दिल्ली-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/287/83-पी० एफ०-2]

S.O. 4260.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs B. N. Mathur Consultants Private Limited, 90, Sundar Nagar, New Delhi-3 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(287)/83-PF. II]

का० आ० 4261.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भारत कलर लेबोरेटरी, 58-एम ब्लॉक, कनाट सर्कस, नई दिल्ली 110001 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/289/83-पी० एफ० -2]

S.O. 4261.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bharat Colour Laboratory, 58-M Block, Connaught Circus, New Delhi-110001 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/289/83-PF. II]

का० आ० 4262.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स श्री अमय राइस मिल कोप्पल जिला राईचूर कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/305/83-पी० एफ०-2]

S.O. 4262.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shree Abhaya Rice Mill, Koppal, Raichur District, Karnataka have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(305)/83-PF.II]

का० आ० 4263.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मोती सोप फैक्ट्री (प्राइवेट) लिमिटेड 6 रामेश्वर नगर आजादपुर दिल्ली-33 और इसका सेल्ज आफिस 6808/1 खारी बाबली दिल्ली-6 में स्थित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/304/83-पी० एफ०-2]

S.O. 4263.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Moti Soap Factory (Private) Limited, 6, Rameshwar Nagar, Azadpur, Delhi-33 and its Sales Office at 6808/1, Gali Bataashan, Khari Baoli, Delhi-6 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(304)/83-PF.II]

का० आ० 4264.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वि जनरल ट्रेडिंग कं० (प्राइवेट) लिमिटेड खैतान भवन एम० आई० रोड जयपुर नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/303/83 पी० एफ०-2]

S.O. 4264.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The General Trading Company Private Limited, Khaitan Bhawan, M.I. Road, Jaipur have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(303)/83-PF. II]

का० आ० 4265.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एसबी एंटरप्राइजिज, 227, पोलाची रोड, ईचानारी तमिलनाडु, कोयम्बटूर-21, तमिलनाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/302/83- पी० एफ०-2]

S.O. 4265.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Esavee Enterprises, 227, Pollachi Road, Eachanari P.O. Coimbatore-21, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(302)/83-PF. II]

का० आ० 4266.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स उमासंकर सा मिल, आस्का रोड, बरहामपुर, गंजम, उड़ीसा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/274/83-पी० एफ०-2]

S.O. 4266.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Umasankar Saw Mill, Aska Road, Berhampur, Ganjam, Orissa have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/274/83-PF. II]

का० आ० 4267.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सर्बो एक्चुएटर्स (प्राइवेट) लि०-16, पीम्पा इन्डस्ट्रियल एस्टेट, बंगलूर-560058, कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि

और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/275/83-पी० एफ०-2]

S.O. 4267.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Servo Actuators (India) B-16, Peenya Industrial Estate, Bangalore-560058, Karnataka have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No. S-35019/275/83-PF. II]

का० आ० 4268.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स समाजवादी सोसाइटी, बी-26, इण्डस्ट्रियल एस्टेट, भुवनेश्वर-751010 उड़ीसा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/273/83-पी० एफ०-2]

S.O. 4268.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Samajbadi Society, B-26, Industrial Estate Bhubaneswar-751010, Orissa have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/273/83-PF. II]

का० आ० 4269.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कृष्णा एण्ड कम्पनी "गोएन्का हाऊस" 44-कम्युनिटी सेंटर जामरुदपुर, कैलाश कॉलोनी एक्सटेंशन, नई दिल्ली-110048 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/272/83-पी० एफ०-2]

S.O. 4269.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Krishna and Company "Goenka House" 44, Community Centre, Zamrudpur, Kailash Colony Extension, New Delhi-110048 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/272/83-PF. II]

का० आ० 4270.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जीह्रा एम्पोरियम, 1, आर्य समाज रोड, करोल बाग, नई दिल्ली नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त स्थापन के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/271/83-पी० एफ०-2]

S.O. 4270.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Zohra Emporium-I, Arya Samaj Road, Karol Bagh, New Delhi have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/271/83-PF. II]

का० आ० 4271.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दीपक फ्लैट ओव्नेर्स एसोसिएशन (बिल्डिंग मेंटेनेंस एकाउंट) 13 दीपक, नेहरू प्लैस, नई दिल्ली-110019 नामक स्थापन के सम्बद्ध नियोजक, और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/268/83-पी० एफ०-2]

S.O. 4271.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Deepak Flat Owners Association (Building Maintenance Account) 13, Deepak, Nehru Place, New Delhi-110019 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/268/83-PF. II]

का० आ० 4272.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी० ए० ओ० (ओ० आर० एस०) ई० एम० ई० वैंट कंटीन, सिकन्दराबाद-21 आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/267/83-पी० एफ०-2]

S.O. 4272.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P.A.O. (ORS) EME Wet Canteen, Secunderabad-21, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/267/83-PF.II]

का० आ० 4273.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वी मिडनापुर कोपरेटिव मिल्क प्रोड्यूसर्स यूनियन लि० त्रिजभवन रंगामति मिडनापुर व इसका जोनल आफिस देशपुर जिला मिडनापुर (वेस्ट बंगाल) और चिलिंग प्लांट चन्द्रकोना रोड, मिडनापुर में स्थित नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/270/83-पी० एफ०-2]

S.O. 4273.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs the Midnapur Co-operative Milk Producers Union Limited, Biraj Bhawan, Rangamati Midnapur including its Zonal Office at Daspur District Midnapur (West Bengal) and Chilling Plant at Chandrakona Road, Midnapur have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/270/83-PF.II]

का० आ० 4274.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स शंकर रबर इण्डस्ट्रीज प्राइवेट लिमिटेड, 38/39, जे बी बी रोड, कुसुरी (हावड़ा) और 74, जमुनालाल बजाज स्ट्रीट, कलकत्ता-7 पर स्थित उसके आफिस सहित नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017/112/83-पी० एफ०-2]

S.O. 4274.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shankar Rubber Industries Private Limited, 38/39, Jaibibi Road, Ghosury (Howrah) including its Office at 74, Jamunalal Bazar Street, Calcutta-7 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(112)/83-P.F. II]

का० आ० 4275.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मास्टर ग्राइन्ड अब्रा सोवज, 5 एंड 6, फैंसी लैं (2nd Floor), Calcutta-I और इसकी फैक्ट्री लाल बागान, चण्डी नागोरे, जिला हुगली में स्थित नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017/113/83-पी० एफ०-2]

S.O. 4275.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Master Grind Abrasives, 5 & 6, Fancy Lane (2nd Floor), Calcutta-I including its Factory at Lal Bagan, Chander-Nagore, District, Hooghly, Calcutta have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(113)/83-P.F. II]

का० आ० 4276.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स देबाशिस बैनर्जी एंड कम्पनी, 12, लिन्डसे स्ट्रीट, कलकत्ता-16, और इसका रजि० आफिस, 129, राधा बाजार स्ट्रीट, कलकत्ता-1 में स्थित नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस० 35017/115/83-पी० एफ० 2]

S.O. 4276.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Debasish Banerjee and Company 12, Lindsay Street, Calcutta-16 and its Regd. Office at 129, Radha Bazar Street, Calcutta-I have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(115)/83-PF. III]

का० आ० 4277.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रोसेसिंग प्राइवेट लिमिटेड (हॉवड़ा) 74, पण्डी रोड, बाट, स्ट्रीट, कलकत्ता-6 नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017/114/83-पी० एफ०]

S.O. 4277.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Processing Plastics (India), 74, Pathuriaghat Street, Calcutta-6 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(114)/83-PF.II]

का० आ० 4278.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स झरना वेनर सप्लायर्स, 8/3, गुरुदास दत्ता गार्डन लेन, कलकत्ता 70006 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस० 35017/116/83-पी० एफ० 2]

S.O. 4278.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jharna Vencer Suppliers, 8/3, Gurudas Dutta Garden Lane, Calcutta-700067 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(116)/83-PF.II]

का० आ० 4279.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स चन्द्रा इण्डस्ट्रीज, 243, ए०, आचार्य प्रफुल्ला चन्द्रा रोड, कलकत्ता 700067 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस० 35017/117/83-पी० एफ० 2]

S.O. 4279.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Chandra Industries, 243A, Acharya Prafulla Chandra Road, Calcutta-70006 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(117)/83-PF. II]

का० आ० 4280.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लॉरेन्स एंजिनियरिंग एंड इंजीनियरिंग का०, पी०-181, सी० आई० टी० रोड (स्कोम बी० आई० एम०) कमकुंर गाँव, कलकत्ता-54 और फेडरी पी० ओ० आर० गोपाल पुर, नारायण पुर, डमडम, 24, परगनास नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत

हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस० 35017/118/83-पी० एफ० 2]

S.O. 4280.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lawrence Chemical and Engineering Company P. 181, C.I.T. Road (Sec VIM) Kan-kurgachi Calcutta-54 including its factory and office at P.O.R. Gopalpur, Naryanpur, Dumdum 24, Parganas have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(118)/83-PF. II]

का० आ० 4281.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रिपब्लिक प्रेस, 115-ई, लेनिन सरानी, कलकत्ता-700013 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस० 35017/119/83-पी० एफ० 2]

S.O. 4281.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Republic Press, 115-E, Lenin Sarani, Calcutta-700013 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(119)/83-PF.III]

का० आ० 4282.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एल्लिड इंजिनियरिंग कारपोरेशन, 2/1, डा० आर० एन० टैगोर रोड, कलकत्ता-76 अपने प्रधान कार्यालय 7-सी, 15 बालीगंज पार्क रोड, कलकत्ता-19 सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं० एस० 35017/120/83-पी० एफ० 2]

S.O. 4282.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Allied Engineering Corporation, 2/1, Dr. Dr. R.N. Tagore Road, Calcutta-76 including its Head Office at 7C, 15, Ballygunge Park Road, Calcutta-9 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(120)/83-PF. II]

का० आ० 4283.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मर्चेंट नेवी आफिसर्स एण्ड सीमन्स एसोसिएशन, वेस्ट आइजलैंड, कोचीन-682003, केरल नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/262/83-पी० एफ० 2]

S.O. 4283.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Merchant Navy Officers' and Seamen's Association, W. Island, Cochin-682003, Kerala have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S. 35019/262/83-PF. II]

का० आ० 4284.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोरापुट डिस्ट्रिक्ट होल्सेल को-ओपरेटिव स्टोर्स लिमिटेड, झाकधर जेपुर, जिला-कोरापुट, उड़ीसा राज्य तथा इसकी 7 शाखाएं जेपुर शहर में स्थित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/261/83-पी० एफ० 2]

S.O. 4284.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Koraput District Wholesale Co-operative Stores Limited, P.O. Jeypore, District Koraput, Orissa State including its seven branches in Jeypore Town have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/261/83-PF. II]

का० आ० 4285.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रतन लाल एण्ड को० 1424, चांदनी चौक, दिल्ली-110006 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

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अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/266/83-पी० एफ० 2]

S.O. 4285.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ratan Lal and Company, 1424, Chandni Chowk, Delhi-110006 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/266/83-PF. II]

का० आ० 4286.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विक्रान्तवायर इन्डस्ट्रीज, एफ-2/ए-2, इन्डस्ट्रियल इस्टेट, इन्दौर नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/265/83-पी० एफ० 2]

S.O. 4286.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vikrant Wire Industries, F-2/A-2, Industrial Estate, Indore have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/265/83-PF. II]

का० आ० 4287.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दि पन्ना ट्रेडिंग क० (प्राइवेट) लिमिटेड, खैतान भवन, एम० आई० रोड, जयपुर नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/264/83-पी० एफ० 2]

S.O. 4287.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Panna Trading Company (Private) Limited, Khaitan Bhawan, M.I. Road, Jaipur have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019/264/83-PF. II]

का० आ० 4288.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जुगत नॉवल एग्जीबिटर्स प्राइवेट लिमिटेड, चान्दनी चौक, दिल्ली (पोस्ट बॉक्स नं० 1038) नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/263/83-पी० एफ० 2]

S.O. 4288.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jugat Novel Exhibitors Private Limited, Chandni Chowk, Delhi (Post Box No. 1038) have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/263/83-PF. II]

का० आ० 4289.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लुमेक्स प्लास्टिक प्राइवेट लिमिटेड, जे-14, उद्योग नगर, रोहताक रोड, दिल्ली नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/269/83-पी० एफ० 2]

S.O. 4289.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lumax Plastic Private Limited, J-14, Udyog Nagar, Rohtak Road, Delhi have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/269/83-PF. II]

का० आ० 4290.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एक्सिस केमिकल्स एण्ड फार्मसेयूटिकल्स प्राइवेट लिमिटेड, बी 141, नारायणा विहार, नई दिल्ली-28 और 8/9, एम० आर्डी० जी० एम० एच० बी० कालोनी, भावे नगर, कुरला (वेस्ट) बम्बई 400070 पर स्थित उसकी शाखा सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/279/83-पी० एफ० 2]

S.O. 4290.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Axis Chemicals & Pharmaceuticals Private Limited, B-141, Naraina Vihar, New Delhi-28, including its branch office at 8/9, MIG. M.H.B. Colony, Bhawe Nagar, Kurla (West) Bombay-400070 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/279/83-PF. II]

का० आ० 4291.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लिबर्टी ग्लास एण्ड फर्नीचर कम्पनी, प्लॉट एम 12, इन्डस्ट्रियल एस्टेट, हुबली 21, कर्नाटक राज्य नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस० 35019/292/83-पी० एफ० 2]

S.O. 4291.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Liberty Glass & Furniture Company, Plot M-12, Industrial Estate, Hubli-21 Karnataka State have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/292/83-PF. II]

का० आ० 4292.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वि महिन्द्रा कम्पनी लिमिटेड, खान भवन, एम० आर्डी० रोड, जयपुर नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/293/83-पी० एफ० 2]

S.O. 4292.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Mahindra Company Limited, Khaitan Bhawan, M.I. Road, Jaipur have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/291/83-PF. II]

का० आ० 4293.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेज बॉरगोसेनिया रिंगज प्राइवेट लि० रानपुर टी ए एल ठाडूका जिला अहमदाबाद और 41/42 के०बी० कमर्शियल सेंटर तुमरी मंजिल छिनबोई टावर के पास मिर्जापुर अहमदाबाद सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/290/83-पी० एफ० 2]

S.O. 4293.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Borgosesia Rings Private Limited, Ranpur, Tal. Dhandhuka, District Ahmedabad including its Registered Office at 41/42, K. B. Commercial Centre, 2nd Floor, Near Dinbai Tower, Mirzapur, Ahmedabad have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/290/83-PF. II]

का० आ० 4294.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेज सेनिल बस सर्विस 6/11 गवर्नमेन्ट आर्ट्स कॉलेज रोड कोयम्बटूर-18 तमिल नाडु नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/300/83-पी० एफ० 2]

S.O. 4294.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Senthil Bus Service, 6/11, Government Arts College, Road, Coimbatore-18, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/300/83-PF. II]

का० आ० 4295.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेज सुंनक्षत्र मशीनरी एन्ड टूल्स प्राइवेट लिमिटेड 43/163 एन० आर० पेटा कुरनूल आन्ध्र प्रदेश तथा इसकी फैक्ट्री गोन्दी पेराला कुरनूल सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/285/83-पी० एफ० 2]

S.O. 4295.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Tungabhadra Machinery & Tools Pvt. Ltd. 43/163, N. R. Peta Kurnool, A. P. including its factory at Gondiperalu Kurnool have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(285)/83-PF. II]

का० आ० 4296.—केन्द्रीय सरकार को यह प्रतीत होता है कि चिपिंग एण्ड पेंटिंग वर्कर्स मुचुअल ऐड सोसाइटी डोर न० क्यू०-129 गोन्दी ग्राम, विशाखापटनम-5 आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/283/83-पी० एफ० 2]

S.O. 4296.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Chipping and Painting Workers Mutual Aid Society, Door No. Q. 129, Gandhigram, Vishakhapatnam-5, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(283)/83-PF. II]

का० आ० 4297.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेज कुरनूल चिट फण्ड्स प्राइवेट लिमिटेड कुरनूल आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/282/83-पी० एफ० 2]

S.O. 4297.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kurnool Chit Funds Private Limited, Kurnool, Andhra Pradesh have agreed that the provisions of the Employees' Provident

Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(282)/83-PF. II]

का० आ० 4298.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ए० एन० डायस कॉर्पोरेशन, 57, सेंट मैरीज रोड, सिकन्दराबाद, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक 'A' और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/281/83-पी० एफ०]

S.O. 4298.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs A. N. Dyes Corporation, 57, St. Mary's Road, Secunderabad, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(281)/83-PF. II]

का० आ० 4299.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स व्यवसाय सेवा सहकारा संघ नियामिया डम्मूर ज़ाक़र देल्लारी जिला, कर्नाटक राज्य नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस०-35019/284/83-पी० एफ० 2]

S.O. 4299.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Vyavasaya Seva Sahakara Sangha Niyamitha, Dammur Post, Bellary District, Karnataka State have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(284)/83-PF. II]

का० आ० 4300.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रमेश सा मिल्स, प्लॉट नं० 55 से 56, आई० डी० ए० चेरलापल्ली, हैदराबाद-500051, आन्ध्र प्रदेश, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस० 35019/280/83 पी० एफ० 2]

ए० के० भट्टारai,
अवर सचिव

S.O. 4300.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ramesh Saw Mills, Plot No. 55 to 56 I.D.A. Cherlapally, Hyderabad-500051, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019/280/83-PF. II]

A. K. BHATTARAI, Under Secy.

ग्रामीण विकास मंत्रालय

नई दिल्ली, 5 नवम्बर, 1983

का० आ० 4301.—निर्भर श्रेणीकरण और चिह्नानुक्रम नियम, 1962 का और संशोधन करने के लिए निम्नलिखित प्राकृतिक नियम, जिन्हें केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिह्नानुक्रम) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बनाता चाहता है उक्त धारा के अन्वयेनुसार ऐसे सभी व्यक्तियों का जानकारी के लिए प्रकाशित किये जाते हैं जिनके उनसे प्रभावित होने की संभावना है। इसके द्वारा यह सूचना दी जाती है कि उक्त प्राकृतिक नियमों पर ऐसी तारीख से जिसकी ऐसे राजपत्र की प्रतियों जिसमें यह अधिसूचना प्रकाशित की जाती है अवस्था की उपलब्ध कराई जाती है, 45 दिन के पश्चात् विचार किया जाएगा।

ऐसे अक्षेपों या सुझावों पर जो इस प्रकार विनिर्दिष्ट अवधि की समाप्ति से पहले उक्त प्राकृतिक नियमों की बाबत किसी व्यक्ति से प्राप्त होंगे केन्द्रीय सरकार विचार करेगी।

प्राकृप नियम

1. इन नियमों का संक्षिप्त नाम मिर्च श्रेणीकरण और चिह्नांकन (संशोधन) नियम, 1983 है

2. मिर्च श्रेणीकरण और चिह्नांकन नियम, 1962 में—

(क) नियम 3 और 4 में “अनुसूची 1 से 5-य” शब्दों, अंकों और अक्षर के स्थान पर “अनुसूची 1 से 5-ख” शब्द अंक और अक्षर रखे जाएंगे

(ख) विद्यमान अनुसूची 1 के स्थान पर निम्नलिखित अनुसूची रखी जाएगी अर्थात् :-

“अनुसूची 1

(नियम 3 और 4 देखिए)

राजिष्यिक रूप में सन्तम के रूप में ज्ञात मिर्च के श्रेणी अभिधान और क्वालिटी का परिभाषाएं

विशेष लक्षण				साधारण लक्षण						
श्रेणी अभिधान	व्यापार नाम	से० मी० में लम्बाई	रंग	सहायता की अधिकतम सीमा						
				क्षतिग्रस्त बंडल और उपवर्णित फलों फलों	नमी	बिखरे बीज	विजातीय पदार्थ	टूटी मिर्च		
1	2	3	4	5	6	7	8	9	10	11
एस० एस०	सन्तम विशेष	5 और अधिक	खमकील, हल्का लाल	%	%	%	%	%	%	मिर्च (क) केपिकम अनुक्रम-एस जाति के सूखे पके फल होंगे ।
एस० जी०	सन्तम साधारण	5 से कम और 1 से अधिक	खमकील, हल्का लाल	4.00	10.00	11.50	1.00	2.00	7.00	(ख) का अक्षर तोखापन और बीज की मात्रा उत्तमी होगी जितनी उस किस्म के लिए
एस० एफ०	सन्तम अच्छी	5 से कम और 3 से अधिक	मंद लाल	6.00	15.00	11.50	1.00	3.00	10.00	प्रसामान्य है (ग) फफूंदी और कीट द्वारा की गयी क्षति से मुक्त होगी और अच्छी हालत में होगी और
अविनिश्चित (एस० एस०)	सन्तम एस एस	---	---	---	---	---	11.50	---	5.00	मानव उपभोग के लिए ठीक होगी (घ) आठ वर्ष का फल होगी और बाह्य रंजक पदार्थ, तेल या अन्य हानिकारक पदार्थ से मुक्त होगी ।

- एन एस श्रेणी यह श्रेणी क्वालिटी को विनिश्चित करने वाले फर्म आईर के स्थापन के पश्चात् वैक किा जाने के लिए अनुज्ञात की जाएगी ।
- (1) साकार्मक अवधारण का आधार सभी प्रकार के अवधारण और प्रतिशतता की संगणना प्रतिनिधि नमूने के कुल भार के आधार पर की जाएगी ।
- (2) लम्बाई स्तम्भ 1 में विनिश्चित सहायता यवुच्छयः जयन किए गये 10 फलों की औसत लम्बाई पर आधारित होगी । आप फल की लोफ से वृण बिन्दु तब (जहाँ बंडल जुड़ता है) लिया जाएगा ।
- (3) उपवर्णित फलों ऐसी फलियाँ जिन पर धूरे काले सफेद या अन्य रंगीन दाग है उपवर्णित फलियाँ समझी जाएगी परन्तु यह तब जब कि ऐसे दागों से फलों के क्षेत्र का कम से कम 15 प्रतिशत भाग आच्छादित है ।
- (4) विजातीय पदार्थः सभी बाह्य पदार्थ जिनके अंतर्गत बाह्य बल एज और बिखरे स्टैल है विजातीय पदार्थ समझे जाएंगे ।
- (5) लम्बाई के लिए सहायता सीमाः अकस्मिक गलतियों के लिए एस एस एस जी और एस एस श्रेणियों की बाबत स्तम्भ 3 के नीचे विनिश्चित सहायता के अतिरिक्त 5.0 प्रतिशत तक सहायता अनुज्ञात है ।
- (6) क्षतिग्रस्त और उपवर्णित फलों के लिए सहायता सीमाः अकस्मिक गलतियों के लिए एस एस एस जी और एस एस श्रेणियों की बाबत 0.5 प्रतिशत सहायता अनुज्ञात है ।

- (7) ढठलों के बिन, फलियों के लिए सह्यतः संम, आकास्मिक गलतियों के लिए एस एस एन जी और एस एक खेपियों का बिन 1 0 प्रतिशत सह्यतः अनुज्ञात है ।
- (8) नमो के लिए सह्यतः सोमा आकास्मिक गलतियों के लिए 11 5 प्रतिशत के ऊपर नमो का मात्रा के लिए केवल 0.5 प्रतिशत सह्यतः अनुज्ञात है
- (9) दूरी फलिया दूरी फलिया वे हैं जिनके दो बार य, उससे अधिक टुकड़े हो गये हैं ।
- (10) बिखरे बीज मिर्च की फलियों से निकले बिखरे बीज बिखरे बीज समझे जाएंगे ।”

(ग) अनुसूची 2 का लोप किया जाएगा ,

(घ) विद्यमान अनुसूची 3, 4, 5, 5क 5 ख और 5-ग को क्रमशः अनुसूची 2, 3, 4, 5, 5क और 5 ख के रूप में पुनः संशोधित किया जाएगा ।

(ङ) इस प्रकार पुनः संशोधित अनुसूची 5 के शर्षक के स्थान पर निम्नलिखित रखा जाएगा अर्थात्—

“इन नियमों की अनुसूची 1, 2, 3 और 4 के अंतर्गत न आने वाली और भारत में उत्पादित मिर्च की किस्मों के श्रेणी निर्धारण और क्वालिटी की परिभाषाएँ ।”

टिप्पण :

(1) मूल नियम भारत के राजपत्र तारीख 14-7-1962 में का० अ० 1160 द्वारा प्रकाशित किए गए ।

(2) प्राप्ति संशोधन भारत के राजपत्र तारीख 17-10-1964 में का० आ० 1652 द्वारा प्रकाशित किए गए ।

(3) दूसरा संशोधन भारत के राजपत्र तारीख 19-1-1966 में का० आ० 846 द्वारा प्रकाशित किया गया ।

(4) तीसरा संशोधन भारत के राजपत्र तारीख 1-8-1970 में का० आ० 1979 द्वारा प्रकाशित किया गया ।

[म० एफ० 10-5/82—एम० 1]

ऑ० पी० मिश्र अवर सचिव

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 5th November, 1983

S.O. 4301—The following draft rules further to amend the Chillies Grading and Marking Rules, 1962, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), are hereby published, as required by the said section, for the information of all persons likely to be affected thereby and notice is hereby given that said draft rules will be taken into consideration after 45 days from the date on which the copies of the Gazette of India in which this notification is published are made available to the public.

Any objections or suggestions received from any persons with respect to the said draft rules, before the expiry of the period so specified, will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Chillies Grading and Marking (Amendment), Rules 1983.

2. In the Chillies Grading and Marking Rules, 1962—

(a) in rules 3 and 4, for the words, figures and letter “Schedules I to V-C”, the words, figures and letter “Schedules I to V-B” shall be substituted;

(b) for the existing Schedule I, the following Schedule shall be substituted, namely:—

SCHEDULE I

(See rules 3 and 4)

Grade designations and definitions of quality of chillies commercially known as Sannam

Special Characteristics										General Characteristics
Grade Designation	Trade name	Length in cm	colour	Maximum limits of tolerance						
				Damaged and discoloured pods	Pods without Stalk	Moisture	Loose seeds	Foreign matter	Broken chillies	
1	2	3	4	5	6	7	8	9	10	11
				%	%	%	%	%	%	
S.S.	Sannam Special	5 and above	Light red shining	2.00	5.00	11.50	3 0	1.00	5.00	(a) be the dried ripe fruits belonging to the specie Capsicum annuum L;

1	2	3	4	5	6	7	8	9	10	11
S.G.	Sannam General	Below 5 and above 3	Light red shining	4.00	10.00	11.50	3.00	2.00	7.00	(b) have shape, pungency and seed contents normal to the variety
S.F.	Sannam Fair	Below 5 and above 3	Dull red	6.00	15.00	11.50	3.00	3.00	10.00	(c) be free from mould or insect damage and be in sound condition & fit for human consumption;
Non-Specified (N.S.)*	Sannam NS	—	—	—	—	11.50	—	5.00	—	(d) be current year's crop and shall be free from extraneous colouring matter, oil and other harmful substances.

N.S. Grade

* This grade will be permitted for packing after verification of the firm or specifying the quality.

- (1) Basis of quantitative determination : All the determinations and percentages shall be reckoned on the basis of the total weight of representative samples.
- (2) Length: The tolerance specified in column 3 shall be based upon the average length of 20 fruits selected at random. The measurement will be taken from the tip of the fruit to the pedicel point (where the stalk is attached).
- (3) Discoloured pods : Pods having brown, black, white and other coloured patches will be considered as discoloured pods, provided such patches cover atleast 25 % of the area of the pod.
- (4) Foreign matter : All extraneous matter including calyx pieces and loose stalks will be treated as foreign matter.
- (5) Tolerance limit for length: For accidental errors, a tolerance is permissible upto 5.0 percent in excess of the tolerance specified under column 3 in respect of S.S., S.G. and S.F. Grade.
- (6) Tolerance limit for Damaged and discoloured pods. For accidental errors, a tolerance is permissible upto 0.5 percent in respect of S.S., S.G. and S.F. grade.
- (7) Tolerance limit for pods without stalks: For accidental errors, a tolerance is permissible upto 1.0 percent in respect of S.S., S.G. and S.F. grade.
- (8) Tolerance limit for Moisture: For accidental errors, a tolerance of 0.5 percent for moisture content will be allowed over and above 11.5 percent only.
- (9) Broken pods: Broken pods are those pods which are broken into two or more pieces.
- (10) Loose seeds: Loose seeds out of the chillies pods will be considered as loose seeds."

(c) Schedule II shall be omitted;

(d) the existing Schedules III, IV, V, V-A, V-B and V-C shall be renumbered as Schedules II, III, IV, V, V-A and V-B respectively

(e) for the heading of Schedule V as renumbered, the following heading shall be substituted, namely: —

"Grade designations and definitions of quality of chillies varieties not covered by Schedules I, II, III and IV of these Rules and produced in India".

[No. F. 10-5-/82-M.I.]

O.P. MISHRA Under Secy.

Note:— (1) Principal rules published vide S.O. 2160 of the Gazette of India, dated 14-7-1962.

(2) 1st amendment published vide S.O. 3652 of the Gazette of India, dated 17-10-1964.

(3) 2nd amendment published vide S.O. 836 of the Gazette of India, dated 19-3-1966.

(4) 3rd amendment published vide S.O. 2579 of the Gazette of India, dated 1-8-1970.

